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Attorneys for Plaintiff Incentive Capital, LLC

## IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH, CENTRAL DIVISION

INCENTIVE CAPITAL, LLC, a Utah Limited Liability Company,

Plaintiff,

V.

CAMELOT ENTERTAINMENT GROUP, INC., a Delaware Corporation; CAMELOT FILM GROUP, INC., a Nevada Corporation; CAMELOT DISTRIBUTION GROUP, INC., a Nevada Corporation, ROBERT P. ATWELL, an individual; JAMIE R. THOMPSON, an individual; STEVEN ISTOCK, an individual; TED BAER, an individual; PETER JAROWEY, an individual,

Defendants.

PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANT PETER JAROWEY'S MOTION TO QUASH SERVICE

Civil No. 2:11-cv-00288

Judge Paul Warner

Plaintiff Incentive Capital, LLC ("Plaintiff" or "Incentive"), by and through its counsel, hereby move, pursuant to DUCivR 77-2, for an order extending once, for fifteen (15) days, the time within which to respond to Defendant Peter Jarowey's *Motion to Quash Service* (*Docket No. 47*) ("Jarowey's Motion to Quash").

The deadline for filing a response to Jarowey's Motion to Quash was Thursday June 9, 2011. Plaintiff has not previously requested an extension with respect to opposing Jarowey's Motion to Quash, and has insufficient time to complete the opposition brief (necessitated by the challenge raised to service by Jarowey's Motion to Quash) in light of certain deadlines and hearings in unrelated cases and due to the fact that much of Plaintiff's time and efforts have been devoted to litigating a substantially similar dispute between the parties which is currently pending before the Federal Central District Court of California in an attempt to obtain a dismissal or transfer of such action to this Court. The Court recently granted other Defendants in this action more than a one-month extension to file an answer to Plaintiff's Amended Complaint (from the original due date of May 23, 2011 to the extended deadline of June 27, 2011) based primarily on Defendants' argument that the pending California action between the parties necessitated the extension. Likewise, Plaintiff's counsel needs additional time given the time and effort that has been devoted to the California action to carefully and adequately brief the issues raised by Jarowey's Motion to Quash.

WHEREFORE, Plaintiff prays for an Order extending its time to file its opposition memorandum to Jarowey's Motion to Quash to Friday <u>June 24, 2011</u>. A Proposed Order is filed concurrently herewith.

DATED this 15<sup>th</sup> day of June, 2011.

PIA ANDERSON DORIUS REYNARD & MOSS

/s/ Joseph G. Pia Joseph Pia

Attorneys for Plaintiff

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of June, 2011, I caused a true and correct copy of PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANT PETER JAROWEY'S MOTION TO QUASH SERVICE to be filed with the Clerk of the Court using the CM/ECF system which served the following pursuant to Rules 5(b)(2)(D) and (E) of the Federal Rules of Civil Procedure:

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/s/ Joseph Pia