

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division

ROBERT L. PASCO,)
)
 Plaintiff,)
)
 v.) Civil Action No. 5:11CV00087
)
 HANK ZIMMERMAN, *et al.*,)
)
 Defendants.)
)
 _____)

CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANTS' MOTIONS TO DISMISS

The plaintiff Robert L. Pasco, by counsel and pursuant to Rule 6 of the Federal Rules of Civil Procedure and with the consent of the Defendants, through their counsel, moves the Court for an extension of time through and including January 17, 2012 within which to respond to and file his opposition to the Defendants' Motions to Dismiss, and shows the Court as follows:

1. Defendant Moore electronically filed a motion to dismiss Plaintiff's Complaint with an accompanying brief on December 7, 2011. Plaintiff's opposition memorandum would otherwise be due on the date of this motion. The remaining Defendants filed their motions to dismiss and accompanying briefs on December 22, 2011. Plaintiff's memorandum in opposition to those motions to dismiss is due on January 9, 2012.

2. The parties previously have agreed to February 7, 2012 at 1:00 p.m. as the date and time for hearing on all of the motions to dismiss.

3. Due to scheduling issues in other matters, Plaintiff's counsel has requested, and the Defendants, through their counsel, have consented to, an extension of time through and

including January 17, 2012 within which Plaintiff's responses and memoranda in opposition to the Defendants' motions to dismiss may be filed.

4. The short extension requested by Plaintiff's counsel will provide ample time for a reply from the Defendants prior to, and will not result in a delay of, the hearing on the Defendants' motions to dismiss.

WHEREFORE, Plaintiff moves the Court to extend the time through and including January 17, 2012 for Plaintiff to respond to and oppose the Defendants' Motions to Dismiss.

ROBERT L. PASCO
By: s/Timothy E. Cupp
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Counsel for Plaintiff

CERTIFICATE

I hereby certify that on the 27th day of December, 2011, the foregoing Consent Motion was filed electronically with the Clerk through the CM/ECF system, which will cause electronic copies to be served on the parties, by sending same to their attorneys of record as follows: Julia B. Judkins, Esquire, Bancroft, McGavin, Horvath, & Judkins, P.C., 3920 University Drive, Fairfax, VA 22030 and MelisaG. Michelson, Esquire and J. Jay Litten, Esquire, Litten & Sipe, LLP, 410 Neff Avenue, Harrisonburg, Virginia 22801-3434.

s/Timothy E. Cupp