

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

SCOTT MEIDE,

Plaintiff,

Case No. 3:18-cv-01037-MMH-MCR

v.

PULSE EVOLUTION CORPORATION,
JOHN TEXTOR, GREGORY CENTINEO,
JULIE NATALE, DANA TEJEDA, AGNES KING,
JOHN KING, EVOLUTION AI CORPORATION,
JORDAN FIKSENBAUM, LAURA ANTHONY,
MICHAEL POLLACCIA, a/k/a MICHAEL ANTHONY,
and FRANK PATTERSON,

Defendants.

**MOTION OF DEFENDANT JOHN TEXTOR FOR EXTENSION OF TIME TO FILE
OPPOSITION TO MOTION TO COMPEL ANSWERS TO INTERROGATORIES
AND MEMORANDUM OF LAW**

Defendant, John Textor (“Mr. Textor”), by and through his undersigned counsel and pursuant to Rule (6)(b) of the Federal Rules of Civil Procedure and Rule 3.01(g) of the Local Rules for the United States District Court for the Middle District of Florida, respectfully moves this Court for an extension of time up through and including Tuesday, March 19, 2019, to serve his opposition to the Motion to Compel Answers to Interrogatories served by Plaintiff, Scott Meide (“Plaintiff”) and, in support of his motion, states:

1. On or about February 19, 2019, Plaintiff served by electronic mail the Motion to Compel Answers to Interrogatories (“the Motion to Compel”).
2. Mr. Textor’s response to the Motion to Compel is due on Tuesday, March 5, 2019.

3. Michael Lufkin, the attorney formerly handling this matter on behalf of Mr. Textor and the other Pulse Defendants, left the employ of Buchanan Ingersoll & Rooney PC effective February 28, 2019. Undersigned counsel requests additional time to analyze the Motion, gather any information necessary to meaningfully respond to the Motion to Compel and to prepare an appropriate opposition. On behalf of Mr. Textor, undersigned counsel respectfully requests an extension of time through and including Tuesday, March 19, 2019, to prepare and file an opposition to the Motion to Compel on behalf of Mr. Textor.

4. This Motion is not being made for the purpose of delay, and no party will be prejudiced by this extension. The discovery deadline for this matter is March 3, 2020. (Doc. 48).

5. Pursuant to Local Rule 3.01(g), undersigned counsel certifies that, prior to his departure, Mr. Lufkin conferred with Plaintiff in a good faith effort to resolve the issues raised in this Motion. Undersigned counsel represents that Plaintiff opposes the requested relief.

WHEREFORE, for the foregoing reasons, the Defendant John Textor, respectfully requests that the Court grant him an extension of time, through and including Tuesday, March 19, 2019, to prepare and file an Opposition to Plaintiff's Motion to Compel Answers to Interrogatories.

**DEFENDANT JOHN TEXTOR'S MEMORANDUM OF LAW IN SUPPORT OF
MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO MOTION TO
COMPEL ANSWERS TO INTERROGATORIES**

The Federal Rules of Civil Procedure provide in part:

(1) **In general.** When an act may or must be done at or within a specified time, the court may for good cause, extend time (A) with or without motion or

notice if the court acts, or if a request is made before the original time or its extension expires.

Fed.R.Civ.P 6(b) (1)(A).

The Defendant Mr. Textor respectfully submits that the granting of an extension of time to prepared and serve his in Opposition to Motion to Compel Answers to Interrogatories is a proper use of this Court's discretion. The extension is required so that his new counsel may gather the necessary information to prepare an appropriate opposition. The Defendant has timely moved for this extension within the time frame specified in Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure. The Plaintiff will suffer no prejudice if the two-week extension is granted. The discovery deadline in this action is March 3, 2020, almost one year from the filing of this motion. Plaintiff will have ample time to conduct additional discovery in the event that the Motion to Compel is resolved in favor of Plaintiff. Accordingly, the Defendant respectfully submits that circumstances described herein support the requested two-week extension.

Respectfully submitted this 5th day of March 2019.

By: /s/ Richard G. Salazar
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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that the foregoing document was electronically filed this 5th day of March 2019 by using the CM/ECF system, which will send notice of electronic filing of the foregoing document to the following:

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The undersigned counsel further certifies that the foregoing document was also served via e-mail this 5th day of March 2019 upon the following:

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