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Charles Edward Lincoln
c/o Peyton Yates Freiman
603 Elmwood Place, Suite #6
Austin, Texas 78705
Telephone: 512-968-2500
Facsimile: 561-691-1423
E-Mail: charles.lincoln@rocketmail.com
Plaintiffs *in propria persona*

*lodged
over*

FILED
2009 NOV 30 PM 3:46
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA-SOUTHERN DIVISION
(SANTA ANA)**

CHARLES EDWARD LINCOLN, III,
Plaintiff,

v.

STEVEN D. SILVERSTEIN,
RON ELTER,
GRE DEVELOPMENT, INC., individually
and as agents, and all other defendants, et al,
And all JOHN & JANE DOES 1-20,
Defendants.

Case No. SACV09-1072 DOC (Ex)

TRIAL-BY-JURY DEMANDED

SECOND EX-PARTE MOTION
FOR ENLARGEMENT OF TIME

**Second Ex-Parte Application for Enlargement of Time, Continuance of Hearing
And Notice of Change of Address**

Plaintiff Charles Edward Lincoln comes before the Court to apply for an ex-
parte order (pursuant to L.R.-19 of the Central District of California) allowing an
enlargement of time until Monday, December 7, 2009 (one extra week), to file his
Response to Defendants' Motion to Dismiss, which will include and/or consist in
large part of a First Amended Complaint, in which Lincoln will be joined by other
parties Plaintiff raising a constitutional challenge to California Civil Code Section
1714.10, and for a continuance of the hearing date on said motion until Monday,
December 21, 2009.

Several factors bring about the necessity of this additional week. First, as of
November 4, 2009, Plaintiff Lincoln is no longer working with Dr. Orly Taitz and
has no office address in Orange County any longer. Plaintiff accordingly prays that

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3d this Court take note of Plaintiff's Notice of Change of Address, and send all future
4 mail to him:

5 Charles Edward Lincoln
6 c/o Peyton Yates Freiman
7 603 Elmwood Place, Suite #6
8 Austin, Texas 78705
9 Telephone: 512-968-2500
10 Facsimile: 561-691-1423
11 E-Mail: charles.lincoln@rocketmail.com

12 Second, Plaintiff Lincoln has still never recovered his books and papers
13 (including the legal papers showing title to 4 Via Corbina, and Plaintiff's clothes!)
14 taken by Defendants approximately 10 weeks ago by the Defendants' "sneak attack"
15 eviction of him.

16 Third, Defendant Silverstein has filed a copy of a deed in the meantime in
17 parallel state court proceedings, which was not produced in response to the present
18 lawsuit. Plaintiff, by contrast, had already filed his deeds and all other documents
19 (including assignment of rights) from Hal Kuder, Jr., in this United States District
20 Court for the Central District of California, Southern Division (Santa Ana).

21 Fourth, Plaintiff posted his experience with Silverstein on the world-wide-web
22 and has been approached by other pro se victims of Steven D. Silverstein's tactics
23 who now wish to join with Plaintiff in filing his First Amended Complaint in this
24 lawsuit.

25 WHEREFORE, Plaintiff prays for an addition 7 days (1 week) both to respond
26 to the Motion and to prepare for the hearing, until (respectively) December 7, 2009,
27 and December 21, 2009. If Plaintiff is able to file a First Amended Complaint by
28 December 7, 2009, raising a Constitutional Challenge to California Civil Code
§1714.10 in which he will be joined by other Plaintiffs, it may moot the Defendant's
Motion to Dismiss Plaintiff's original complaint.

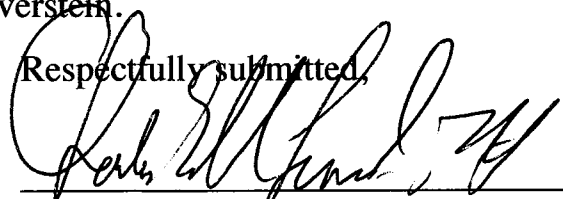
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CERTIFICATE OF CONFERENCE REQUIRED BY L-R 7.4 (C.D.CA.)

As shown in Exhibit A, the undersigned Plaintiff had called Larry Rothman, counsel of record for Defendant Silverstein, at approximately 12:40 p.m. on Monday, November 2, 2009, at which time they discussed several matters. Larry Rothman had promised to return Plaintiff's call but as of November 29, 2009, he had never called again during the entire month of November. It seems unlikely that he would respond to this request for an additional week. However, Plaintiff will send a copy of this Ex-Parte Motion and Request Mr. Rothman's agreement. Because today, Monday November, 30, 2009, is the last day upon which Plaintiff can serve and file this Motion by courier delivery and still have the benefit of timely filing under the Federal Rules, Plaintiff was required to file this prior to receiving Mr. Rothman's (Defendant Silverstein's) answer to Plaintiff's request for stipulation.

CERTIFICATE OF SERVICE:

Plaintiff will supplement this Certificate of Conference immediately if Mr. Rothman reports a stipulation to the additional enlargement of time, and Plaintiff will serve this Motion immediately upon the Defendant's counsel by facsimile transmission to (714) 363-0229 as well as by electronic (e-mail) attachment to Larry Rothman's e-mail address shown as tocollect@aol.com on the cover sheet of Rothman's original filing for Defendant Silverstein.

Respectfully submitted,


Monday, November 30, 2009

Charles Edward Lincoln, III, pro se
c/o Peyton Yates Freiman
603 Elmwood Place, Suite #6
Austin, Texas 78705
Telephone: 512-968-2500
Facsimile: 561-691-1423

charles.lincoln@rocketmail.com