UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

DENIS MARC AUDET, ET AL.,	:	Civil Action No.
	:	3:16-CV-00940-MPS
Plaintiffs,	:	
	:	
v.	:	
	:	
HOMERO JOSHUA GARZA, ET AL.,	:	
	:	
Defendants.	:	September 8, 2016
	:	

DEFENDANT STUART A. FRASER'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING

Pursuant to Local Rule 7(b)(2) and (3), Defendant Stuart A. Fraser ("Defendant Fraser") in the above-referenced action moves, with the consent of Plaintiffs, for a fifteen (15) day extension of time to file a responsive pleading.

An additional fifteen (15) days to prepare a responsive pleading is necessary for several reasons. First, undersigned counsel was retained shortly before appearing in this action on August 10, 2016, and the original responsive pleading deadline was August 12, 2016. Second, due to the complexity of the Plaintiffs' purported class action complaint, substantial time and resources were required to investigate and evaluate the claims in Plaintiffs' complaint and the potential defenses thereto. Third, pre-arranged travel at the end of the summer and during the Labor Day holiday weekend shortened the time available to prepare a responsive pleading. Therefore, Defendant Fraser respectfully submits that a responsive pleading to Plaintiffs' class action complaint cannot reasonably be prepared within the allotted time, and that an additional fifteen days is required to do so.

In support of this motion, undersigned counsel states that counsel for Defendant Fraser has inquired of Plaintiffs' counsel, who consented to the granting of this motion on the

conditions that Defendant Fraser consent to Plaintiffs' request that their deadline to respond to any motion to dismiss be November 4, 2016, and that Defendant Fraser agree to request that his deadline to file any reply in further support of the motion to dismiss be November 22, 2016.

This is the second motion for extension of time that has been filed by Defendant Fraser. Defendant Fraser further submits that the additional fifteen days requested herein to file a responsive pleading would have no detrimental effect on the current schedule, about which his counsel and Plaintiffs' counsel are currently conferring. In addition, Defendant Fraser notes that no other Defendant has yet responded to the Complaint, and the corporate entity Defendants have not yet been served or appeared in the action.

For the above reasons, Defendant Fraser respectfully requests that the time to file a responsive pleading be further extended fifteen (15) days until September 27, 2016.

DEFENDANT STUART A. FRASER

By:_____*s/Sean M. Fisher*_____
David R. Schaefer (ct04334)
Sean M. Fisher (ct23087)
BRENNER, SALTZMAN & WALLMAN LLP
271 Whitney Avenue
New Haven, CT 06511
Tel. (203) 772-2600
Fax: (203) 562-2098
Email: dschaefer@bswlaw.com
Email: sfisher@bswlaw.com

Daniel H. Weiner (ct12180)
Sarah L. Cave (phv08437)
Sara E. Echenique (phv08436)
One Battery Park Plaza
New York, NY 10004-1482
Tel.: (212) 837-6000
Fax: (212) 422-4726
Email: daniel.weiner@hugheshubbard.com
Email: sarah.cave@hugheshubbard.com
Email: sara.echenique@hugheshubbard.com

Counsel for Defendant Stuart A. Fraser

2

<u>CERTIFICATE OF SERVICE</u>

I hereby certify that on September 8, 2016, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's system.

/s/*Sean M. Fisher*
Sean M. Fisher (ct23087)