

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT MICHIGAN

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Action Case No. <u>1:13-cv-00162-RJJ</u>
)	
v.)	
)	
DON BUI a/k/a HUY H. BUI,)	
)	
Defendant.)	
_____)	

**PLAINTIFF’S UNOPPOSED MOTION FOR EXTENSION OF TIME
WITHIN WHICH TO SERVE EXPERT WITNESS REPORTS**

Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which it has to serve its Expert Witness Reports on Defendant, and states:

1. Pursuant to this Court’s Case Management Order entered on August 7, 2013 [CM/ECF 20], Plaintiff is required to disclose its expert reports on Defendant by no later than November 15, 2013.

2. Plaintiff served its Expert Witness Disclosure on October 15, 2013, and corrected Expert Witness Disclosures on Defendant today, November 15, 2013.

3. Currently, Plaintiff’s expert is unable to prepare his report because Defendant has objected to produce his hard drive in response to Plaintiff’s First Request for Production. *See* Defendant’s Response to Plaintiff’s Request for Production, Exhibit A.

4. Plaintiff intends to file a Motion to Compel Defendant’s responses. Pursuant to Local Rule 7.1(d), prior to filing any motion to compel Defendant’s responses, Plaintiff is required to confer with Defendant’s counsel in a good faith effort to resolve the issue.

5. As such, Plaintiff requires an extension of at least sixty (60) days within which its expert may review any information produced by Defendant and complete his report.

6. This request is made in good faith and not made for the purpose of undue delay.

7. Plaintiff has conferred with counsel for Defendant, and he has advised that his client does not oppose the relief requested herein.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve its expert reports on Defendant be extended by ninety (90) days, or until February 13, 2014. A proposed order is attached for the Court's convenience.

Dated: November 15, 2013

Respectfully submitted,

NICOLETTI & ASSOCIATES, PLLC

By: /s/ Paul J. Nicoletti
Paul J. Nicoletti, Esq. (P44419)
36880 Woodward Ave, Suite 100
Bloomfield Hills, MI 48304
Tel: (248) 203-7800
Fax: (248) 203-7801
E-Fax: (248) 928-7051
Email: paul@nicoletti-associates.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on November 11, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Paul J. Nicoletti