

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT INDIANA**

MALIBU MEDIA, LLC,	)	
	)	
Plaintiff,	)	Civil Case No. <u>1:12-cv-01117-WTL-MJD</u>
	)	
v.	)	
	)	
MICHAEL HARRISON,	)	
	)	
Defendants.	)	
	)	

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**PLAINTIFF’S MOTION FOR EXTENSION OF TIME TO  
RESPOND TO DEFENDANT’S MOTION TO EXCLUDE THE TESTIMONY OF  
PLAINTIFF’S EXPERT WITNESSES [CM/ECF 213]**

Plaintiff, Malibu Media, LLC (“Plaintiff”), moves for the entry of an order allowing Plaintiff a brief two (2) week extension of time to respond to Defendant Michael Harrison’s (“Defendant”) Motion to Exclude the Testimony of Plaintiff’s Expert Witnesses [CM/ECF 213], and in support states:

1. On August 18, 2014, Defendant filed his Motion to Exclude the Testimony of Plaintiff’s Expert Witnesses. CM/ECF 213.
2. In the past two weeks undersigned has conducted two depositions in other cases, defended a deposition in this case, attended an out-of-state hearing to argue two different motions, and has otherwise been extremely busy. Defendant’s Motion is thirty-two (32) pages long with over fifty (50) pages of exhibits. And, the issues raised by Defendant have not been raised in any previous Malibu Media lawsuit so Plaintiff will need to conduct extensive research and compose a thoughtful response.

3. Accordingly, Plaintiff respectfully requests an additional two (2) weeks within which to complete its Response to Defendant's Motion to Exclude, up to and including September 16, 2014.

4. Undersigned conferred with defense counsel by telephone prior to filing the instant Motion. Defense counsel informed undersigned that he would not oppose the instant Motion but he did not agree to a two (2) week extension of time to respond.

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

6. None of the parties would be prejudiced by granting the instant Motion.

WHEREFORE, Plaintiff respectfully requests that the time within which it has to respond to Defendant's Motion to Exclude be extended until September 16, 2014. A proposed order is attached for the Court's convenience.

Dated: September 2, 2014.

Respectfully submitted,

NICOLETTI LAW, PLC

By: /s/ Paul J. Nicoletti  
Paul J. Nicoletti, Esq. (P44419)  
33717 Woodward Avenue, #433  
Birmingham, MI 48009  
Tel: (248) 203-7800  
E-Fax: (248) 928-7051  
Email: [paulnicoletti@gmail.com](mailto:paulnicoletti@gmail.com)  
*Attorney for Plaintiff*

### **CERTIFICATE OF SERVICE**

I hereby certify that on September 2, 2014, 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

