

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 1:16-CV-21199-CMA/O'SULLIVAN**

ANDREA ROSSI, et al.

Plaintiffs,

v.

THOMAS DARDEN, et al.

Defendants.

**PLAINTIFFS' UNOPPOSED MOTION FOR ENLARGEMENT
OF TIME FOR ALL PARTIES TO FILE EXHIBIT LISTS**

Plaintiffs', Andrea Rossi and Leonardo Corporation ("Plaintiffs") by and through undersigned counsel and pursuant to Rule 6(b), Fed.R.Civ.P., hereby move for an additional three (3) day enlargement of time for all parties file and serve their Trial Exhibit Lists. As grounds therefore, Plaintiffs state as follows:

1. This cause is set for trial during the Court's two-week trial calendar beginning on June 26, 2017.

2. On April 14, 2017 this Honorable Court entered an Order [ECF No. 260] Granting, in part, Plaintiffs' Amended Motion for Enlargement of Time to Comply with Scheduling Order. [ECF No. 258]

3. However, due to the complexity of the issues in this case and the volume of documents produced by the parties, Plaintiffs require an additional three (3) days to properly compile a comprehensive list of exhibits for trial, and allow time for the parties to review and properly designate any objections thereto.

4. Accordingly, given the time-frame required to file and serve the exhibit list in this case, the Plaintiffs respectfully request that this Court enter an order granting the all parties an

additional three (3) days, up through and including May 5, 2017 to file and serve their respective Exhibit Lists in this case.

5. Rule 6(b) of the Federal Rules of Civil Procedure provides in part:

When an act may or must be done within a specific time, the court may, for good cause, extend the time: (A) with or without motion or notice of the court acts, of if a request is made, before the original time or its extension expires.

6. The granting of the requested enlargement of time constitutes a proper use of this Court's discretion.

7. The Plaintiffs have requested the enlargement of time prior to the service deadline specified by the Federal Rules of Civil Procedure.

8. Additionally, counsel for Plaintiffs has conferred with Defendants' counsel and Third-Party Defendants' counsel, who have both advised that they have no objection to the relief requested in the instant Motion.

9. The parties to this action will not be prejudiced in any way by the granting of the foregoing enlargement of time.

WHEREFORE, for the foregoing reasons, Plaintiffs, Andrea Rossi and Leonardo Corporation, respectfully request that this Court enter an order granting all parties an additional three (3) day enlargement of time, up through and including May 5, 2017 to file and serve their respective Exhibit Lists in preparation for trial.

/s/ John W. Annesser
John W. Annesser, Esq. (FBN 98233)
jannessers@aclaw-firm.com
Brian W. Chaiken, Esq. (FBN 118060)
bchaiken@aclaw-firm.com
ANNESSE & CHAIKEN, PLLC
2525 Ponce De Leon Blvd., Suite 625
Coral Gables, FL 33134
Telephone: 305 283-9898
Attorneys for Plaintiffs

CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(a)(3)

The undersigned counsel hereby certifies that, in compliance with Rule 7.1(a)(3), Federal Rules of Civil Procedure, that undersigned counsel has conferred with counsel for Defendants in a good faith effort to resolve by agreement the issues raised in this Motion. At the time of filing the present Motion, Defendants have agreed to the proposed extension with respect to the filing and serving of the parties' respective Trial Exhibit Lists.

/s/Brian W. Chaiken, Esq.
Brian W. Chaiken

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing was served by in the manner specified below on May 2, 2017 on all counsel or parties of record on the attached Service List.

/s/ John W. Annesser
John W. Annesser, Esq. (FBN 98233)

SERVICE LIST

Christopher R.J. Pace, Esq. (FBN 721166)
cpace@jonesday.com
Christopher M. Lomax, Esq. (FBN 56220)
clomax@jonesday.com
Christina T. Mastrucci, Esq. (FBN 113013)
cmastrucci@jonesday.com
Erika S. Handelson, Esq. (FBN 91133)
ehandelson@jonesday.com

JONES DAY

600 Brickell Avenue, Suite 3300
Miami, FL 33131

- and -

Bernard P. Bell, Esq. (PHV)

bellb@millerfriel.com

MILLER FRIEL, PLLC

1200 New Hampshire Avenue, N.W.

Suite 800

Washington, DC 20036

*Attorneys for Defendants, Darden, Vaughn, Industrial Heat, LLC,
IPH Int'l B.V., and Cherokee Investment Partners, LLC*

Service via: CM/ECF

Francisco J. León de la Barra, Esq. (FBN 105327)

fleon@acg-law.com

Fernando S. Arán, Esq. (FBN 349712)

faran@acg-law.com

ARÁN CORREA & GUARCH, P.A.

255 University Drive

Coral Gables, Florida 33134

Attorneys for Third-Party Defendants, JMP, Johnson, and Bass

Service via: CM/ECF

Rodolfo Nuñez, Esq. (FBN 016950)

rnunez@acg-law.com

RODOLFO NUÑEZ, P.A.

255 University Drive

Coral Gables, Florida 33143

Attorney for Third-Party Defendants, Fabiani and USQL

Service via: CM/ECF