

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 08-81565-CIV-HURLEY/HOPKINS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

CREATIVE CAPITAL CONSORTIUM, LLC,
A CREATIVE CAPITAL CONCEPT\$, LLC, and
GEORGE L. THEODULE,

Defendants.

**DOLCE REGENCY SUITES, LLC MOTION TO ENLARGE TIME TO FILE
RESPONSE TO SECOND VERIFIED MOTION TO EXPAND RECEIVERSHIP**

DOLCE REGENCY SUITES, LLC, an Interested Party, hereby moves for additional time to respond to the Receiver's Second Motion to Expand Receivership [Dkt. 32], and in support states as follows.

1. Undersigned counsel filed a Notice of Appearance on February 20, 2009. [Dkt. 34].
2. At the time of undersigned counsel's appearance, it was unclear how Defendant THEODULE would be proceeding in this action, and in particular, who would be serving as his new counsel. See Dkt. 28 (Order Granting Motion to Withdraw as Attorney).
3. On Monday, February 23, 2009, at 11:08 p.m., counsel for THEODULE appeared. [Dkt. 36]

4. DOLCE REGENCY SUITES, LLC, joins THEODULE'S Motion to Extend Time [Dkt. 37] as it relates to the Receiver's Second Motion to Expand Receivership. [Dkt. 32].
5. DOLCE REGENCY SUITES, LLC, agrees with THEODULE that additional time is necessary to present the affidavits and documents necessary to refute the unsupported and overreaching allegations of the Receiver's Motion.
6. DOLCE REGENCY SUITES, LLC, anticipates filing affidavits and documents from Gabrielle Alexis, Esq., Carlos Bonilla, Esq., Daniel E. Harper, Stephen Bozarth, Esq. and German Cardona Soler, all of which are in the process of being notarized, but may not be completed in time for filing without an extension of time.
7. This motion is brought in the interests of justice and not to cause any party unnecessary delay or prejudice. The court should have a proper record before it when making an adjudication on the merits of the Receiver's Motion.
8. DOLCE REGENCY SUITES, LLC, anticipates requesting oral argument on the Motion to Expand Receivership, whenever consideration of the Motion is to occur.
9. Pursuant to Local Rule 7.1, counsel has conferred with the attorneys for the Receiver and the Receiver does not agree to the Motion.
10. A proposed order is submitted herewith.

Respectfully submitted this 26th day of February, 2009.

/s/ Bradford A. Patrick
Bradford A. Patrick, Esq.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 26, 2009, a true and correct copy of the foregoing was served on all counsel or parties of record on the attached service list by the means set forth on the Service List.

/s/ Bradford A. Patrick
Bradford A. Patrick, Esq.
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_____ /

ORDER

THIS CAUSE, having come before the Court upon the Motion of DOLCE REGENCY SUITES, LLC for an extension of time to respond the Receiver's Second Motion to Expand Receivership [Dkt. 32], the Court having been fully advised in the premises, and for good cause shown,

IT IS ORDERED AND ADJUDGED that Defendant DOLCE REGENCY SUITES, LLC shall have up to and including March 26, 2009 to respond to the Receiver's Second Motion to Expand Receivership.

DONE AND SIGNED in Chambers in West Palm Beach, Florida this _____ day of _____, 2009.

DANIEL T. K. HURLEY
U.S. DISTRICT COURT JUDGE

All counsel