IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA MIAMI DIVISION

CASE NO.: 09-CIV-20865-HURLEY/HOPKINS

JONATHAN E. PERLMAN, Esq., as Court Appointed Receiver of Creative Capital Consortium, LLC, et al.,

Plaintiff,

v.

GABRIELLE ALEXIS, et al.,

Defendants.

AGREED MOTION FOR ADDITIONAL EXTENSION OF TIME TO RESPOND TO SECOND AMENDED COMPLAINT FOR DAMAGES

COMES NOW, the Defendants, GABRIELLE ALEXIS, LAW OFFICE OF GABRIELLE ALEXIS, P.A., and MONDESIR & ALEXIS TITLE SERVICES, INC., (hereinafter collectively "Alexis Defendants"), by and through their undersigned counsel, and pursuant to the applicable Federal Rule of Civil Procedure, respectfully requests this Honorable Court to enter an Order granting Defendants an additional ten (10) days within which to respond to Plaintiff's Second Amended Complaint for Damages, and in support thereof states as follows:

- 1. Plaintiff's Second Amended Complaint for Damages and to Avoid and Recover Fraudulent Transfers and for Other Relief was filed via CM/ECF on October 9, 2009 [D.E. 17].
- 2. The Alexis Defendants filed their Motion for Extension of Time to Respond to Second Amended Complaint for Damages on October 19, 2009 [D.E. 18] and same was granted, requiring a response to be filed thereto by no later than November 10, 2009 [D.E. 19].

3. Due to the nature of this case, the complexity of the issues and the documents

which need to be reviewed to formulate a proper response, the Alexis Defendants respectfully

request an additional ten (10) days from November 10, 2009 within which to respond to the

Second Amended Complaint. As such, the response would be due on November 20, 2009.

4. This Motion is brought in good faith, is not sought for any dilatory purpose, and

neither the parties nor the administration of justice will be prejudiced by the Court's granting of

this Motion.

5. The undersigned certifies he has spoken with Plaintiff's counsel, David Cimo,

who has agreed to this Motion and the additional extension of time requested.

WHEREFORE, Defendants' GABRIELLE ALEXIS, LAW OFFICE OF GABRIELLE

ALEXIS, P.A., and MONDESIR & ALEXIS TITLE SERVICES, INC., respectfully request that

this Motion be granted and such other and further relief as this Court deems just and appropriate.

Dated: November 5, 2009

Boca Raton, FL

Respectfully submitted,

SHENDELL & POLLOCK, P.L.

Attorneys Alexis Defendants

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By: /s/ Kenneth S. Pollock

Kenneth S. Pollock

Florida Bar No: 0069558

Rachel F. Kelman

Florida Bar No. 0018642

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, this $\underline{5}^{th}$ day of November, 2009. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the below Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: /s/ Kenneth S. Pollock
Kenneth S. Pollock

SERVICE LIST

David C. Cimo, Esq. Genovese Joblove & Battista, P.A. 100 S.E. Second Street, 44th Floor Miami, FL 33131 VIA CM/ECF

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IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA MIAMI DIVISION

CASE NO.: 09-CIV-20865-HURLEY/HOPKINS

JONATHAN E. PERLMAN, Esq., as Court Appointed Receiver of Creative Capital Consortium, LLC, et al.,
Plaintiff, v.
GABRIELLE ALEXIS, et al.,
Defendants/
ORDER ON AGREED MOTION FOR ADDITIONAL EXTENSION OF TIME TO RESPOND TO SECOND AMENDED COMPLAINT FOR DAMAGES
THIS CAUSE having come before the Court on Defendants', Defendants, GABRIELLE
ALEXIS, LAW OFFICE OF GABRIELLE ALEXIS, P.A., and MONDESIR & ALEXIS TITLE
SERVICES, INC., Agreed Motion for Additional Extension of Time to Respond to Second
Amended Complaint for Damages, and the Court, having reviewed the file, and being fully
advised in the premise, it is hereby
ORDERED AND ADJUDGED that:
1. Defendants' Agreed Motion for Extension of Time is hereby GRANTED .
2. Defendants shall file a response to Plaintiff's Second Amended Complaint for
Damages on or before November 20, 2009.
DONE AND ORDERED in chambers in Miami Dade County, Florida, this day of
, 2009.

DISTRICT COURT JUDGE

Copies furnished to: All counsel on attached service list.

SERVICE LIST

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Kenneth S. Pollock, Esq. Rachel F. Kelman, Esq. Shendell & Pollock, PL One Park Place 621 N.W. 53rd Street, Suite 310 Boca Raton, FL 33487 VIA CM/ECF

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