

**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 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 twenty (20) 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 served via CM/ECF on October 9, 2009 [D.E. 17]. The Alexis Defendants are required to file a response thereto by no later than, October 19, 2009.

2. 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 twenty (20) days within which to respond to the Second Amended Complaint. In addition, the undersigned counsel has had conflicts with other cases and has been unable to meet with the Alexis Defendants to discuss all of the issues raised in the Second Amended Complaint.

3. The undersigned certifies that an extension of time to respond to Plaintiff's Second Amended Complaint has not been previously sought by the Alexis Defendants in this matter.

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 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: October 19, 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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, this 19th day of October, 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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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 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 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 within twenty (20) days from the date of this Order.

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

David C. Cimo, Esq.
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