

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
West Palm Beach Division
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CASE NO. 09-80190-CIV-HURLEY/ROSENBAUM

JONATHAN E. PERLMAN, Esq.,
as court appointed Receiver of
Creative Capital Consortium, LLC, et al.,
Plaintiff,

v.

CAPTIN CONSTRUCTION GROUP,
INC., a Georgia corporation,
Defendant.

JOINT MOTION TO EXTEND DISCOVERY AND MEDIATION DEADLINES

The Defendant Captin Construction, a Georgia corporation (“Defendant”), pursuant to Rule 29, Federal Rules of Civil Procedure, joined by Plaintiff, Jonathan E. Perlman, Esq., the court-appointed Receiver of Creative Capital Consortium, LLC, A Creative Capital Concept\$, LLC,¹ United Investment Club, LLC, Reverse Auto Loan, LLC, Wealth Builders Circle, LLC, The Dream Makers Capital Investment, LLC, G\$ Trade Financial, Inc. and Unity Entertainment Group, Inc.² (hereinafter collectively referred to as “Plaintiff”), file this Joint Motion to Extend Discovery and Mediation Deadlines, and in support hereof state:

¹ Creative Capital Consortium, LLC and A Creative Capital Concept\$, LLC shall sometimes collectively be referred to herein as “Creative Capital” or the “Creative Capital Entities.”

² Since the filing of the Complaint, the Receivership has again been expanded and now includes Creative Capital Consortium, LLC, A Creative Capital Concept\$, LLC, United Investment Club, LLC, Reverse Auto Loan, LLC, Wealth Builders Circle, LLC, The Dream Makers Capital Investment, LLC, G\$ Trade Financial, Inc. and Unity Entertainment Group, Inc. which entities shall sometimes be collectively referred to as the “Receivership Entities.”

1. This case is scheduled for calendar call before the United States District Court for the Southern District of Florida on February 18, 2010.

2. On February 1, 2010, the Plaintiff filed its Motion For Leave To Amend Complaint To Add Third-Parties And Request For Extension of Trial Date and Discovery Deadlines (the 'Motion to Amend") (DE #39.) By virtue of the Motion to Amend, the Plaintiff desires to add additional defendants in this case and to amend the claims against the Defendant to include additional transfers identified through discovery. Because this proposed amendment seeks to add new parties to the case, a new trial date and corresponding discovery schedule was requested by Plaintiff.

3. The parties are preparing for trial in this case and are subject to numerous pretrial filing deadlines arising from this Court's trial and discovery scheduling order. If the Court is inclined to grant the Plaintiff's Motion to Amend, the parties would be relieved of the cost, effort and expense of pretrial preparation, as it would be in the interests of judicial economy to extend the discovery deadlines and related pretrial schedule.

4. The parties cancelled two previously scheduled depositions and the mediation of the claims in the case pending the Court's disposition of the Plaintiff's Motion to Amend, but agreed to reschedule them prior to trial in this case if necessary. If the Plaintiff's Motion to Amend is not granted, and the depositions and mediation are required to be rescheduled, the proposed dates thereof will occur after the deadlines imposed by this Court's pretrial scheduling order, and will require an order extending those deadlines as requested herein.

5. Defendant has conferred with Plaintiff and both parties agree to the relief requested herein.

WHEREFORE, the parties jointly request an Order Extending Discovery and Mediation Deadlines, and for such other and further relief as the Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed a true and correct copy of the foregoing document using the CM/ECF system and that copies of same, together with proof of filing, will be served by Electronic Mail and to the addressees as indicated below:

Dated: February 16, 2010

Attorneys for Defendant

/s/ Tina Talarchyk
Tina M. Talarchyk, Esq.
Florida Bar No. 794872
ttalarchyk@mcdonaldhopkins.com
Spencer Gollahon, Esq.
Florida Bar No. 647799
sgollahon@mcdonaldhopkins.com
MCDONALD HOPKINS LLC
505 South Flagler Drive, Suite 300
West Palm Beach, Florida 33401
Tel: (561) 472-2121
Fax: (561) 472-2122

SERVICE LIST

Case No. 09-80190-HURLEY/ROSENBAUM

ELECTRONIC MAIL LIST:

Frank Massabki, Esquire
fmassabki@gjb-law.com

David Lemoie, Esquire
dlemoie@gjb-law.com

Genovese, Joblove & Battista P.A.
Bank of America Tower
100 Southeast Second Street
Suite 4400
Miami, FL 33131