

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
(West Palm Beach Division)

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

Plaintiff,

v.

CASE NO.: 09-CV-81221-CIV-HURLEY

MILLENIU EXECUTIVE REALTY, INC.
and NILDA RIVERA-CRUZ,

Defendants.

**DEFENDANTS', MILLENIU EXECUTIVE REALTY, INC.
AND NILDA RIVERA-CRUZ', UNOPPOSED MOTION FOR EXTENSION
OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants, MILLENIU EXECUTIVE REALTY, INC. and NILDA RIVERA-CRUZ (hereinafter referred to as "Defendants MILLENIU AND CRUZ") by and through their undersigned counsel, hereby move this Court for an extension of time within which to respond to Plaintiff's Complaint, up to and including Friday, November 6, 2009, and in support thereof, states:

1. The Plaintiff filed its Complaint on or about August 21, 2009.
2. An initial extension of time was obtained by Defendants Millenium and Cruz, to and including Monday, October 19, 2009, within which to file their Answer or otherwise plead to Plaintiff's Complaint.

3. The undersigned counsel was just recently retained by Defendants Millenium and Cruz and just received a copy of the Summons and Complaint filed in this cause.

4. Counsel for Defendants Millenium and Cruz having just been retained in this matter, needs additional time to further consult with said Defendants, review the Plaintiff's Complaint and related pleadings and Orders, and otherwise investigate the Plaintiff's claims before filing a responsive pleading. The undersigned counsel obtained a verbal extension of time, from counsel for Plaintiff, to and including Friday, November 6, 2009, within which Defendants, Millenium and Cruz, shall answer or otherwise plead to Plaintiff's Complaint.

5. Pursuant to Local Rule 7.1, the undersigned has consulted with counsel for the Plaintiff, Harris Jacob Koroglu, Esquire, who has no objection to the requested extension and, in fact, has agreed to extend the time within which Defendants Millenium and Cruz shall answer or otherwise plead to Plaintiff's Complaint to and including Friday, November 6, 2009.

6. Consequently, Defendants Millenium and Cruz would respectfully request an additional extension of time within which to respond to Plaintiff's Complaint, up to and including Friday, November 6, 2009 within which to answer or otherwise plead to Plaintiff's Complaint.

7. The instant Motion is filed in good faith so as to adequately preserve the rights of Defendants Millenium and Cruz and not for purposes of undue delay or prejudice.

WHEREFORE, Defendants, MILLENIUM EXECUTIVE REALTY, INC. and NILDA RIVERA-CRUZ, would respectfully request that this Court enter an Order GRANTING said Defendants' Motion for Extension of Time, giving said Defendants until Friday, November 6, 2009, within which to file a responsive pleading in this matter, and granting such other and further relief as the Court deems appropriate.

Respectfully submitted this 19th day of October, 2009.

/s/ Dennis A. Creed, III

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on **October 19, 2009**, I electronically filed the foregoing Unopposed Motion for Extension of Time To Respond to Plaintiff's Complaint with the Clerk of the Court by using the CM/ECF system, which will serve copies on counsel for Plaintiff or pro se parties as listed on the attached service list, via transmission of Notices of Electronic Filing generated by CM/ECF:

/s/ Dennis A. Creed, III

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**ORDER GRANTING DEFENDANTS', MILLENIUM EXECUTIVE REALTY,
INC.'S AND NILDA RIVERA-CRUZ', UNOPPOSED MOTION FOR
EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

THIS CAUSE came on before the Court on Defendants', MILLENIUM EXECUTIVE REALTY, INC.'S and NILDA RIVERA-CRUZ' Unopposed Motion for Extension of Time to Respond to Plaintiff's Complaint, and the Court having considered the Motion and the pertinent portion of the record, it is,

ORDERED AND ADJUDGED:

1. Defendants', MILLENIUM EXECUTIVE REALTY, INC.'S and NILDA RIVERA-CRUZ', Unopposed Motion for Extension of Time to Respond to Plaintiff's Complaint is hereby **GRANTED**.

2. Defendants shall serve their response to Plaintiff's Complaint not later than November 6, 2009.

Daniel T. K. Hurley
United States District Court Judge

Copies to:

All Counsel of Record