

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

20-CV-81205-RAR

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

COMPLETE BUSINESS SOLUTIONS
GROUP, INC. d/b/a PAR FUNDING, *et al.*,

Defendants.

**DEFENDANTS' JOINT MOTION TO EXTEND
DEADLINE FOR FILING MOTIONS *IN LIMINE***

Defendants Lisa McElhone, Joseph W. LaForte, Joseph Cole Barleta, Perry Abbonizio, Dean Vagnozzi, and Michael C. Furman (collectively, “Defendants”) move, partially unopposed, pursuant to Fed. R. Civ. P. 6(b) for an extension of the deadline to file motions *in limine*, from Friday, October 22, 2021, until Tuesday, November 2, 2021, and in support, Defendants state as follows:

1. On March 30, 2021, the Court entered its Amended Order Setting Jury Trial Schedule (the “Scheduling Order”). [D.E. 521]. The Scheduling Order set a deadline of October 22, 2021 for the filing of motions *in limine*.

2. The Court has since extended several deadlines under the Scheduling Order for good cause, including the Parties’ deadline for filing motions for summary judgment [D.E. 792], responding to motions for summary judgment [D.E. 830, 833], and filing the joint pre-trial stipulation and proposed jury instructions [D.E. 835].

3. The Parties have been working diligently to comply with the existing deadlines

and making best efforts to ensure that the extension of one deadline does not have a domino effect on subsequent deadlines. Given the above-mentioned extensions, however, the sequencing of the motion *in limine* deadline in particular is now incongruous, as it falls while the Parties are still briefing the summary judgment motions and before the parties have exchanged exhibit lists.

4. As such, Defendants submit there is good cause for a short extension of the deadline for filing motions *in limine*, from October 22, 2021, until November 2, 2021, in order for the Parties to have sufficient time to review the contemplated exhibits, confer, and if necessary, prepare a well-reasoned motion for the Court's consideration.

5. Pursuant to Local Rule 7.1(a)(3), the undersigned certifies that they have conferred with the SEC. The SEC agrees to an extension until October 29 but opposes an extension until November 2 without knowing how the Court will rule on the Defendants' other pending motions to continue and postpone trial and other deadlines in this case.

6. However, given the proximity of the deadline to file motions *in limine*, and the procedural posture of the case, Defendants cannot wait for other rulings to file the Motion.

7. No party will be prejudiced if the Court grants the relief sought, and this Motion is not being pursued for purposes of delay.

WHEREFORE Defendants respectfully request that the Court extend the deadline to file motions *in limine* from October 22, 2021, until November 2, 2021.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of October, 2021, a true and correct copy of the foregoing was served via the Court's CM.ECF System upon all counsel of record.

/s/ Jeffrey E. Marcus
Jeffrey E. Marcus, Esq.