

IN THE CIRCUIT COURT FOR THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR ST. LUCIE COUNTY, FLORIDA

FRED MILLER, an individual,

CASE NO.: 56-2020-CA-001217-AXXXHX

Plaintiff,

vs.

UDT/SEAL MUSEUM ASSOCIATION
INC., a Florida not for Profit Corporation,

Defendant.

**DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME TO FILE
A CASE MANAGEMENT PLAN AND ORDER**

The Defendant, UDT/SEAL MUSEUM ASSOCIATION, INC. ("MUSEUM"), by and through its undersigned attorneys, respectfully moves this Honorable Court for an Extension of Time to File a Case Management Plan and in support thereof states as follows:

1. This case involves a transaction that took place back in the 1980s. Plaintiff commenced this action in August 2020. Defendant has filed several motions attacking the legal sufficiency of Plaintiff's thirty-year old claims in its Complaint and Amended Complaint which have resulted in several withdrawals and dismissals. Plaintiff's Second Amended Complaint is the subject of a pending Motion to Dismiss filed on October 4, 2021 and Defendant's Opposition thereto filed on November 2, 2021. Plaintiff has also concurrently requested leave on November 2, 2021 to file a Third Amended Complaint.

2. On October 28, 2021, this court issued an Order to Submit Agreed Case Management Plan and Order.

3. The Court ordered the parties to submit an Agreed Case Management Plan and Order within 10 days of the order, Monday, November 8, 2021.

4. The undersigned has not had contact with opposing counsel to discuss the matter.