

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 07-60534-CIV-DIMITROULEAS
MAGISTRATE JUDGE: ROBIN ROSENBAUM

HOWARD K. STERN,

Plaintiff,

vs.

JOHN O'QUINN,

Defendant.

**DEFENDANT'S MOTION FOR LEAVE TO EXCEED PAGE LIMITATIONS IMPOSED
BY THE LOCAL RULES FOR THIS COURT AND
THE FEDERAL RULES OF CIVIL PROCEDURE**

Defendants JOHN M. O'QUINN and JOHN M. O'QUINN & ASSOCIATES, PLLC., d/b/a THE O'QUINN LAW FIRM, by and through their undersigned counsel, hereby move for entry of an Order by this Honorable Court granting Defendants' Motion For Leave To Exceed Page Limitations Imposed By The Local Rules For This Court And The Federal Rules Of Civil Procedure and in support thereof states as follows:

1. On June 23, 2008 Plaintiff Howard K. Stern filed a Memorandum of Law in Opposition to Defendants' Motion for Protective Order attaching voluminous exhibits which were presented to these Defendants for the first time.

2. This case, as this Court is aware, involves a multitude of complex and lengthy issues.

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LA CAVA HOFFMAN & PUYA, P.A.

3. In order to file an effective Reply to Stern's Opposition Memorandum of Law, Defendants respectfully request this Court's permission to exceed the ten (10) page limitation set forth in rule 7.1(C)(2) of the Local Rules for the Southern District, and allow Defendants' Reply to be twenty (20) pages in length.

4. Undersigned counsel contacted opposing counsel, L. Lin Wood, who indicated his opposition to this Motion.

5. This Motion is being filed in good faith and not to oppress, hinder or to annoy.

6. The Defendant would be severely prejudiced unless permitted by this Honorable Court to exceed the applicable page limit as it is essential to be able to fully and adequately reply to the Plaintiff's Memorandum of Law.

7. In accordance with Local Rule 7.1.A.1(j), a proposed order granting this Motion is attached hereto, for this Court's convenience.

WHEREFORE, the Defendants JOHN M. O'QUINN and JOHN M. O'QUINN & ASSOCIATES, PLLC., d/b/a THE O'QUINN LAW FIRM, respectfully request that this Court enter an Order granting this Motion for Leave to Exceed the Page Limitations prescribed by the Local Rules of this Court and by the Federal Rules of Civil Procedure and allowing Defendants' Reply to be twenty (20) pages in length.

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Respectfully submitted,

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By: _____
ROBERT M. KLEIN
Fla. Bar No: 230022

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on September 25, 2007, this document was e-filed using the CMECF system and that a true and correct copy was served via e-mail to: **L. LIN WOOD, ESQ.**, (llwood@pogolaw.com) Powell Goldstein LLP, *Co-counsel for Plaintiff*, One Atlantic Center, 14th Floor, 1201 W. Peachtree Street, N.W., Atlanta, GA 30309; and **M. KRISTA BARTH, ESQ.** (krista@emsattorneys.com), Eric M. Sauerberg, P.A., *Co-counsel for Plaintiff*, Suite 102, 200 Village Square, Palm Beach Gardens, FL 33410 **NEIL McCABE, ESQ.**, (neilm@oqlaw.com) The O'Quinn Law Firm, 440 Louisiana, Suite 2300, Houston, TX 77002 who are listed as recipients as counsel under said system.

By: /S/
ROBERT M. KLEIN
Florida Bar No.: 230022

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 07-60534-CIV-DIMITROULEAS
MAGISTRATE JUDGE: Seltzer

HOWARD K. STERN,

Plaintiff,

vs.

JOHN O'QUINN and JOHN M. O'QUINN
& ASSOCIATES, PLLC d/b/a
The O'Quinn Law Firm,

Defendants.

_____ /

**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE
TO EXCEED THE PAGE LIMITATIONS IMPOSED BY THE LOCAL RULES
FOR THIS COURT AND BY THE FEDERAL RULES OF CIVIL PROCEDURE**

THIS CAUSE came before the Court upon the Defendants' Unopposed Motion for Leave to Exceed the Page Limitations imposed by the Local Rules of this Court and by the Federal Rules of Civil Procedure, and the Court having considered the motion and being otherwise fully advised in the premises.

Accordingly, it is ORDERED AND ADJUDGED as follows:

1. Defendants' Motion for Leave to Exceed the Page Limitations imposed by the Local Rules of this Court and the Federal Rules of Civil Procedure with regard to its Reply to Plaintiff's Opposition Memorandum of Law to Defendants' Motion for Protective Order, is hereby GRANTED.

2. Defendants' Reply shall not exceed 20 pages.

DONE AND ORDERED in Chambers in the Southern District of Florida, at Ft. Lauderdale, Broward County, Florida this ____ day of July, 2008.

Judge Barry S. Seltzer
United States Magistrate

Copies furnished to:
Robert M. Klein, Esq.
L. Lin Wood, Esq.
M. Krista Barth, Esq.
Neil McCabe, Esq.