UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION, STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LEGAL AFFAIRS, Plaintiffs, v. LIFEWATCH INC., a New York corporation, also d/b/a LIFEWATCH USA and MEDICAL ALARM SYSTEMS, SAFE HOME SECURITY, INC., a Connecticut corporation, MEDGUARD ALERT, INC., a Connecticut corporation, EVAN SIRLIN, individually and as an officer or manager of Lifewatch Inc., MITCHEL MAY, individually and as an officer or manager of Lifewatch Inc., and DAVID ROMAN, individually and as an officer or manager of Lifewatch Inc., Safe Home Security, Inc., and MedGuard Alert, Inc. Defendants.	Case No. 15-cv-5781 Judge Gary Feinerman

DEFENDANTS' JOINT MOTION REQUESTING AN EXTENSION OF TIME

Defendants, through their counsel, jointly move this Honorable Court to extend the deadline to respond to Plaintiffs' motion for summary judgment for an additional twenty-one (21) days, from February 19, 2018 to March 3, 2018. In support thereof, Defendants state as follows:

1. On December 27, 2017, the parties filed motions for summary judgment and supporting exhibits. *See Dkt. #241-297.* Plaintiffs' submissions supporting their Motion as to all defendants included 106 separate statements of material fact comprising 154 pages, along with an oversize brief, and many thousands of pages of exhibits.

3. The Court previously entered a minute entry which states, in relevant part, "If Plaintiffs move for summary judgment, Defendants may support their oppositions with affidavits or declarations from their expert(s)." *Dkt. #236.*

4. In advance of the summary judgment filings, defendants timely disclosed Kevin Flaherty as their retained damages expert pursuant to Rule 26(a)(2). Defendants intend to rely upon, *inter alia*, Mr. Flaherty's declarations in opposition to the summary judgment motion.

5. Defendants acknowledge and appreciate that the Court previously extended the deadline (on consent) from February 2, 2017 (*Dkt. #239*) in view of plaintiffs' request to file oversize briefs and increase the number of statements of material fact in support of plaintiffs' motion. However, given the enormous size and significance of plaintiffs' motion, it is not feasible for defense counsel or the expert to adequately prepare responses in opposition to a motion of this magnitude by the February 19, 2018 deadline.

6. Accordingly, Defendants respectfully request an additional twenty-one (21) days to respond.

7. Defense counsel conferred with Plaintiffs' counsel, who do not consent to a request for additional time.

WHEREFORE, Defendants, request this Honorable Court grant their requested extension of the deadline to respond to Plaintiffs' motion for summary judgment for an additional twenty-one (21) days, from February 19, 2018 to March 3, 2018, and for any other relief this Court deems appropriate.

Respectfully submitted,

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