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FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

JUL 14 2021

TAMMY H. DOWNS, CLERK
By: DEP CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

FEDERAL TRADE COMMISSION, and STATE OF ARKANSAS, *ex rel.* LESLIE RUTLEDGE, ATTORNEY GENERAL Plaintiffs, vs. BINT OPERATIONS LLC, a limited liability company, LASHONDA MOORE, individually and as an officer of BINT OPERATIONS LLC, and MARLON DEANDRE MOORE, formerly known as MARLON DEANDRE MAIDEN, individually and as an officer of BINT OPERATIONS LLC Defendants.	CASE NO.: 4:21-CV-00518-KGB **DEFENDANTS' MOTION TO EXTEND THE TIME TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT** **FIRST REQUEST**

Pursuant to Fed. R. Civ. P. 6(b) and Local Rule 6.2, Defendants LaShonda Moore and Marlon Moore (together, the "Moores"), and BINT Operations LLC ("BINT" and collectively with the Moores, "Defendants") hereby move the Court for an Order extending the deadline by

which they must file their Answer or other responsive pleading to the Plaintiffs' Complaint for Permanent Injunction, Monetary Relief, and Other Relief (the "Complaint"), including but not limited to a motion to dismiss or transfer. Specifically, the Moores seek an extension of 21 days, from July 14, 2021, to August 4, 2021, and BINT seeks an extension of 19 days from July 16, 2021, to August 4, 2021.

The reasons for this request are set forth as follows:

1. The deadline for the Moores to file a responsive pleading to the Complaint is currently Wednesday, July 14, 2021.

2. The deadline for BINT to file a responsive pleading to the Complaint is currently Friday, July 16, 2021.

3. On July 6, 2021, Defendants retained Donald E. Godwin and the law firm of Godwin Bowman, P.C. ("Defendants' Counsel") to represent them in this matter.

4. Out of an abundance of caution, Donald E. Godwin is filing a Motion for Leave to Appear *Pro Hac Vice* concurrently with this motion on July 14, 2021.

5. Since being retained on July 6, 2021, Defendants' Counsel has worked diligently to conduct an investigation sufficient to satisfy Fed. R. Civ. P. 11, and to prepare a responsive pleading to the Complaint, however there is not enough time to complete that investigation and prepare a responsive pleading before the July 14, 2021, and July 16, 2021, deadlines.

6. Shortly after being retained, on or about July 8, 2021, Defendants' Counsel attempted to contact Shannon Halijan, Assistant Attorney General for the State of Arkansas, and Reid Tepfer, counsel for the Federal Trade Commission, seeking an extension of time to respond to the Complaint given the lawsuit's complexities and Defendants' Counsel's recent engagement by Defendants. Neither Shannon Halijan nor Reid Tepfer answered or returned this phone call.

On July 12, 2021, Defendants' Counsel followed up with Shannon Halijan and in this conversation, she advised that she would need to confer with Reid Tepfer related to any concerns for extensions. Since July 12, 2021, Defendants' Counsel has not heard from either Shannon Halijan nor Reid Tepfer regarding this motion. Thus, at the time of filing this motion, Plaintiffs' counsel has not indicated if they will agree to a request for an extension to respond to the Complaint.

7. This is Defendants' first request for an extension of time to respond to the Complaint.

8. Defendants are unaware of any prejudice that would arise from this brief extension.

9. This extension is not sought for delay, but for the purpose of allowing Defendants sufficient time to adequately address and brief the issues in this case.

10. By the filing of this Motion, Defendants' Counsel and Defendants do not intend to waive any defenses or objections to the jurisdiction or venue of this Court.

WHEREFORE, based on the foregoing, the Defendants respectfully request that the Court extend both of the deadlines by which Defendants must file an Answer or other responsive pleading from **July 14, 2021**, and **July 16, 2021**, to **August 4, 2021**.

Respectfully submitted,

GODWIN | BOWMAN PC

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CERTIFICATE OF SERVICE

I hereby certify that on or about the 14th day of July, 2021, a true and correct copy of the above and foregoing pleading was filed in person with the Clerk of the Court for the U.S. District Court, Eastern District of Arkansas, and that I have served the documents on all counsel of record in a manner authorized by the Federal Rules of Civil Procedure.

Donald E. Godwin.