

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

BURTON W. WIAND, as Receiver for  
OASIS INTERNATIONAL GROUP, LTD,  
OASIS MANAGEMENT, LLC, and  
SATELLITE HOLDINGS COMPANY,

Plaintiff,

v.

**Case No. 8:20-cv-00862-VMC-TGW**

CHRIS AND SHELLEY ARDUINI, et al.,

Defendants.

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**UNOPPOSED MOTION FOR ENLARGEMENT OF TIME**

Defendants, Joseph Martini, Sr. and Joseph Martini, Jr. (“Defendants”), by and through their undersigned counsel and pursuant to Fed. R. Civ. P. Rule 6 and the Court’s Case Management and Scheduling Order, respectfully moves this Court for an Order enlarging the time by which Defendants must disclose their expert reports by twenty-eight (28) days and in support states as follows:

1. On October 8, 2020, this Court entered a Case Management and Scheduling Order setting the deadline by which Defendants must disclose their expert reports on February 12, 2021.
2. On December 18, 2020, Defendants served their First Request for Production, First Request for Admission, and First Set of Interrogatories on Plaintiff. Plaintiff was required to respond to Defendants discovery requests by January 18, 2021.

3. On January 18, 2021, Plaintiff requested a two week extension by which to serve its Answers to Interrogatories, which Defendants provided, noting, however, that Defendants would likely require this information for any expert report(s) it intended to prepare.

4. On January 19, 2021, Plaintiff served its responses to Defendants' First Request for Production and First Request for Admission, along with a partial production of responsive documents, consisting only of the documents utilized by Plaintiff's expert, but none of the documents otherwise responsive to Defendants' First Request for Production.

5. Plaintiff also represented he was working on procuring access to additional responsive documents.

6. On February 1, 2021, Plaintiff requested an additional extension of time by which to serve his Answers to Defendants' First Interrogatories. Again, Defendant granted an additional four day extension.

7. Plaintiff again represented that he was still working on procuring additional documents responsive to Defendants' First Request for Production.

8. On February 5, 2021, Plaintiff served its Answers to Defendants' Interrogatories.

9. In addition, on February 5, 2021, Plaintiff produced additional documents responsive to Defendants' First Request for Production, again representing that there are additional responsive documents that he was working on procuring and producing.

10. In other words, Defendants only received a complete set of discovery responses and a partial set of responsive documents on February 5, 2021, one week before its expert report(s) were due.

11. In addition, there are numerous documents responsive to Defendants First Request for Production that have still not been produced and which Defendants would be

required to review prior to serving any expert report(s). Defendants do not know the extent of these documents, nor their content, but they are responsive to a number of Defendants' requests for production and would be instrumental in forming the basis for any expert report.

### **ARGUMENT**

12. Both Fed. R. and Civ. P. 6(b)(a) and Local Rule 3.09, both cited in this Court's Case Management and Scheduling Order, require a showing of good cause in order to procure an extension of time. In the spirit of cooperation, Defendants provided the above identified discovery extensions requested by Plaintiff. However, as delineated above, Defendants do not yet have a complete set of discovery on which to base its expert report(s). In addition, other documents, as well as Plaintiff's Answers to Defendants' First Interrogatories were only produced/served on February 5, 2021, a week before the deadline by which Defendants were to serve their expert report(s). As such, Defendants respectfully request an extension of twenty-eight days, until and including March 12, 2022, by which to disclose their expert report(s).

13. Pursuant to this Court's Case Management and Scheduling Order, Defendants represent that:

- a. This motion is unopposed;
- b. The additional discovery is necessary to complete Defendants expert report(s);
- c. All parties agree that the extension will not affect the dispositive motions deadline and trial date;
- d. All parties agree that any discovery conducted after the dispositive motions date established in this Order will not be available for summary judgment purposes (non-applicable for the purposes of the current motion); and

- e. No party will use the granting of the extension in support of a motion to extend another date or deadline.

WHEREFORE, Defendants, Joseph Martini, Sr. and Joseph Martini, Jr. respectfully requests this Court grant an extension of twenty-eight (28) days within which to disclose its expert report(s).

**CERTIFICATE THAT COUNSEL HAS CONFERRED AND PLAINTIFF'S COUNSEL HAS NO OBJECTION TO THE REQUEST FOR AN ENLARGEMENT OF TIME**

Pursuant to Rule 3.01(g), the undersigned has conferred with counsel for Plaintiff, who does not oppose the relief requested herein.

Dated: February 10, 2021.

Respectfully submitted,

***GrayRobinson, P.A.***

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*Attorneys for Defendants, Joseph Martini, Sr. and Joseph Martini, Jr.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 10<sup>th</sup> day of February, 2021, a true and correct copy of the foregoing has been electronically filed via the CM/ECF system which will send an electronic notice to:

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