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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:12-cv-00886-REB-MEH

MALIBU MEDIA, LLC,

Plaintiff,

v.

JEFF FANTALIS, BRUCE DUNN, and  
STEPHEN DEUS,

Defendants

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**PLAINTIFF'S FIRST MOTION FOR EXTENSION OF TIME TO  
RESPOND TO ANSWER AND COUNTERCLAIM**

Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which it has to respond to Defendant Jeff Fantalis's Answer and Counterclaim and Demand for Jury Trial [Dkt. 18], and states:

1. On or about May 5, 2012, Plaintiff effectuated service of the summons and Complaint upon Defendant, Jeff Fantalis.
2. Defendant filed its Answer and Counterclaim and Demand for Jury Trial on May 29, 2012.
3. Pursuant to Fed. R. Civ. P. 12, Plaintiff's response to the Answer and Counterclaim is due today, June 19, 2012.
4. Undersigned is in the process of preparing its Motion to Dismiss in response to Defendant's Answer and Counterclaim but has not yet had adequate time to meet with its client and therefore requires a brief extension of time within which to file its motion.
5. Pursuant to Local Rule 7.1, Plaintiff has contacted Defendant regarding this motion for extension and Defendant has advised that he opposes the Motion.
6. This is Plaintiff's first Motion for Extension of Time to File.

7. This Motion is not being made for the purpose of delay and no party will suffer prejudice by the entry of an order extending Plaintiff's deadline.

WHEREFORE, Plaintiff respectfully requests an extension until next Monday, June 25, 2012 to file its Motion to Dismiss Defendant's Answer and Counterclaim.

Dated: June 19, 2012

Respectfully submitted,

By: /s/ Jason Kotzker

Jason Kotzker

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*Attorney for Plaintiff*

#### **CERTIFICATE OF SERVICE**

I hereby certify that on June 19, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Jason Kotzker