

UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

**FLAVA WORKS, INC.,**  
A Florida Corporation doing business as  
COCODORM.COM, and  
**ANGEL BARRIOS,**

CASE NO.: 07-22370-civ-MGC

Plaintiffs/Petitioners,

v.

**CITY OF MIAMI, FLORIDA,**  
A Florida municipal corporation; and  
**CITY OF MIAMI CODE ENFORCEMENT  
BOARD,**

Defendants/Respondents.

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**PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO  
DEFENDANT'S RENEWED MOTION FOR SUMMARY JUDGMENT [D.E. 95]**

COMES NOW, Plaintiff, Flava Works, Inc. and Angel Barrios, by and through undersigned counsel, and hereby files its Motion for Enlargement of Time to Respond to Defendant's Renewed Motion for Summary Judgment [D.E. 95] and in support thereof states as follows:

1. This is a case stemming from alleged violations of city ordinances and seeking relief from the City of Miami's Code Enforcement Board's Order regarding the same based upon, *inter alia*, constitutional grounds/violations.
2. On May 4, 2011, Defendants filed their Renewed Motion for Summary Judgment [D.E. 95].
3. As such, responses are due on or before May 23, 2011.
4. On April 18, 2011, the undersigned filed his Motion to Withdraw as Counsel for Plaintiff's [D.E. 92].

5. On May 4, 2011, this Court heard said Motion to Withdraw and denied the undersigned's Motion. *See* Order Denying Motion to Withdraw for Plaintiff [D.E. 99].
6. The undersigned and the Plaintiffs have differing ideas as to the strategy of the litigation in this case.
7. The Plaintiff and undersigned plan on conducting a comprehensive meeting in the coming days and expect to come to an agreement as to how the case should proceed within the next few days.
8. However, Plaintiff's representative, Mr. Phillip Bleicher is with a family member this morning to provide support during surgery (cancer removal) and was out of town yesterday in Chicago, Illinois on business; the undersigned is traveling out of town today to attend his sister's wedding in Harrisburg, Pennsylvania and will not be back until next week.
9. A brief extension of ten (10) days to respond to Defendant's Renewed Motion for Summary Judgment is requested and will not cause any harm or prejudice to either party.
10. The undersigned has contacted counsel for the Defendants and awaiting a response as to whether or not it has any objection to the instant motion.

**WHEREFORE**, Plaintiff, Flava Works, Inc., hereby respectfully requests this Court **GRANT** Plaintiff's Motion for Enlargement of Time to Respond to Defendant's Renewed Motion for Summary Judgment and/or any other relief this Court deems just and proper.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the above and foregoing was filed using with the Court using CM/ECF and served to all persons listed on the attached service list by US mail, first class, pre-postage paid on this 19<sup>th</sup> Day of May, 2011.

Respectfully submitted,

By: /s/Jonathan J. Warrick

Jonathan J. Warrick, Esq.

FBN: 37248

General Counsel and Attorney for Plaintiff

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**PROPOSED ORDER GRANTING PLAINTIFF'S MOTION FOR ENLARGEMENT OF  
TIME TO RESPOND TO DEFENDANT'S RENEWED MOTION FOR SUMMARY  
JUDGMENT [D.E. 95]**

The Court having reviewed the record and being duly advised of the facts, it is hereby,

ORDERED AND ADJUDGED:

1. Plaintiff's Motion for Enlargement of Time to Respond to Defendant's Renewed Motion for Summary Judgment is hereby GRANTED.
2. Plaintiff's response to Defendant's Renewed Motion for Summary Judgment is now due on or before June 2, 2011.

DONE AND ORDERED in Miami, FL on this \_\_\_\_\_ Day of May, 2011.

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MARCIA G. COOKE  
UNITED STATES DISTRICT JUDGE

Copies: Counsel of Record