

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

Civil Action No. 1:11-CV-00793 JLK

RIGHTHAVEN LLC, a Nevada limited liability company,

Plaintiff,

v.

NEIL ROSEKRANS, an individual

Defendant.

**UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO FILE
RESPONSIVE PLEADING**

COMES NOW, the Defendant, Neil Rosekrans, through counsel Contiguglia / Fazzone, P.C., by Andrew J. Contiguglia, and hereby moves this Honorable Court pursuant to D.C.COLO.LCivR Rule 6.1A for an enlargement of time up to and including May 6, 2011 to file a Responsive Pleading. Undersigned counsel offers the following as good cause for the requested enlargement of time:

1. Plaintiff filed a Complaint in the above-captioned case on March 28, 2011. On April 4, 2011, Plaintiff personally served the defendant with a copy of a Summons and Complaint and Jury Demand in this action. Defendant was not offered an opportunity to sign a Notice and Waiver of acceptance of service which would have extended his time to file a responsive pleading and hire an attorney in this case. Currently, a responsive pleading is due to this Honorable Court on or before April 25, 2011.

2. Notwithstanding the foregoing, on April 12, 2011, defendant Rosekrans was in contact with Plaintiff's counsel Steven Ganim, and explained that he was seeking counsel for representation in this case and would need additional time to hire counsel and file a responsive pleading.

3. Righthaven's counsel Mr. Ganim had no objection to an enlargement of time of 10 to 14 days for Mr. Rosekrans to hire counsel and file a responsive pleading in this action.

4. On April 22, 2011, defendant retained undersigned counsel to represent him in this case. Undersigned counsel has filed his entry of appearance on behalf of Neil Rosekrans contemporaneously herewith.

5. Neil Rosekrans, through Counsel requests an enlargement of time up to and including May 6, 2011 to file any responsive pleading in this matter.

6. This Motion is not filed for the purposed of delay and neither party will be prejudiced by this enlargement of time. Justice requires that Mr. Rosekrans and his counsel have an appropriate amount of time to evaluate the case and file the appropriate pleadings so that the defendant is not prejudiced in having to respond to the Complaint in an expedited manner.

7. Undersigned counsel respectfully submits that good cause can therefore be shown for the enlargement of time, and requests that this Honorable Court extend the date for a responsive pleading to be filed on behalf of Neil Rosekrans up to and including May 6, 2011.

Dated this 22nd day of April 2011.

Respectfully submitted,

CONTIGUGLIA / FAZZONE, P.C.

/s/ Andrew J. Contiguglia

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CERTIFICATE OF SERVICE

Undersigned hereby certifies that a true and accurate copy of the foregoing UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO FILE RESPONSIVE PLEADING was sent via first class mail, and through the PACER EFS system on this 22nd day of April 2011 to the following interested parties:

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/s/ Andrew J. Contiguglia
