

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

**DREW ADAMS, a minor, by and through
his next friend and mother, ERICA
ADAMS KASPER,**

Plaintiff,

v. Case No.: 3:17-cv-00739-TJC-PDB

**THE SCHOOL BOARD OF ST. JOHNS
COUNTY, FLORIDA; TIM FORSON, in his
official capacity as Superintendent of
Schools for the St. Johns County School
District; and LISA KUNZE, in her official
capacity as Principal of Allen D. Nease High
School,**

Defendants.

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO
RESPOND TO COMPLAINT**

Defendants, through their undersigned counsel and pursuant to Fed. R. Civ. P. 6(b) and M.D. Fla. Loc. R. 3.01, respectfully move this Court for an extension of time within which to respond to the Complaint (Doc. 1). In support hereof, Defendants state as follows:

1. On June 28, 2017, Plaintiff filed his Complaint. Defendants' response is presently due on July 21, 2017.

2. Since the filing of the Complaint, Defendants have in good faith undertaken efforts to investigate Plaintiff's allegations to prepare their defenses.

3. On July 19, 2017, or three (3) weeks from filing the Complaint, Plaintiff filed a Motion for Preliminary Injunction, Supporting Memorandum of Law, and over 200 pages of supporting record evidence ("Motion for Preliminary Injunction")(Doc. 22). This record evidence includes affidavits of Plaintiff, his mother, and Plaintiff's counsel, as well as one from a proposed expert witness.

4. On July 21, 2017, the Court entered an Order scheduling a preliminary injunction hearing on August 10, 2017, and setting August 4, 2017, as the deadline on which Defendants must respond to the Motion for Preliminary Injunction.

5. In light of the condensed timeframe applicable to the proceedings, the complexity of the factual and legal issues, and the availability of certain witnesses, Defendants need additional time to adequately investigate the allegations and form a proper response to the Complaint while, at the same time, preparing a response to the Motion for Preliminary Injunction.

6. Based on the foregoing, Defendants respectfully request that the Court extend the deadline for Defendants to respond to the Complaint to August 4, 2017.

7. Defendants submit that this request is made in good faith and not made for the purpose of undue delay.

CERTIFICATE OF M. D. FLA. LOC. R. 3.01 (g) CONFERENCE

8. Pursuant to M.D. Fla. Loc. R. 3.01(g), the undersigned certifies that he contacted Plaintiff's counsel who advised that Plaintiff consents to the relief requested herein.

MEMORANDUM OF LAW IN SUPPORT

Defendants' request falls within the auspices of Fed. R. Civ. P. 6(b), which provides the Court with wide discretion to enlarge the time for doing an act required under the Federal Rules of Civil Procedure. Based on the foregoing, Defendants respectfully submits that grounds exist to grant the extension of time requested. Defendants are not seeking to delay this proceeding; rather, they are seeking an extension so that they may properly investigate Plaintiff's claims while contemporaneously working on their response to Plaintiff's Motion for

Preliminary Injunction and significant supporting testimony and evidence.

WHEREFORE, Defendants respectfully request that this Court enter an Order extending the time for the Defendants to respond to the Complaint (Doc. 1) from July 21, 2017, until August 4, 2017.

Dated this 21st day of July, 2017.

Respectfully submitted,

/s/ Terry J. Harmon

TERRY J. HARMON

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Counsel for Defendants

CERTIFICATE OF SERVICE

The undersigned certifies that on this 21st day of July, 2017, a true and correct copy of the foregoing was electronically filed in the US District Court, Middle District of Florida, using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

/s/ Terry J. Harmon _____
TERRY J. HARMON