

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT L. VAZZO, LMFT, individually
And on behalf of his patients, DAVID H.
PICKUP, LMFT, individually and on
Behalf of his patients,

CASE NO. 8:17-cv-02896-CEH-AAS

Plaintiffs,

v.

CITY OF TAMPA, FLORIDA,

Defendant.

DEFENDANT, CITY OF TAMPA'S, MOTION FOR ENLARGEMENT OF PAGE
LIMIT IN WHICH TO RESPOND TO PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION, AND INCORPORATED MEMORANDUM OF LAW

Defendant, City of Tampa ("City"), in accordance with Local Rule 3.01(d), respectfully moves for enlargement of page limit, not to exceed thirty (30) pages, in which to respond to Plaintiffs' Motion for Preliminary Injunction. In support thereof, the City alleges as follows:

1. On December 5, 2017 the City was served with Plaintiffs' multi-count Complaint and Plaintiffs' Motion for Preliminary Injunction.
2. Given the breadth of the multi-count Complaint and Plaintiffs' Motion for Preliminary Injunction, the City believes that it will need an enlargement of page limit, not to exceed thirty (30) pages, in which to properly respond to Plaintiffs' Motion for Preliminary Injunction. Although the City will attempt to be as succinct as possible, the

City believes that it will be prejudiced if it is not permitted an enlargement, of up to thirty (30) pages, in which to respond to the Plaintiffs' Motion for Preliminary Injunction.

MEMORANDUM OF LAW

It is within the discretion of the Court as to whether to grant a request for enlargement of page limitation. Local Rule 3.01(d) provides that: "A motion requesting leave to file ... a response in excess of twenty (20) pages ... shall not exceed three (3) pages, shall specify the length of the proposed filing, and shall not include, as an attachment or otherwise, the proposed motion, response, reply or other paper."

Given the facts set forth above, the City believes that there is good cause for this Court to exercise its discretion to grant the requested relief herein. Indeed, if the relief requested is not granted, the City will be prejudiced by an inadequate opportunity to properly present its position in response to Plaintiffs' Motion for Preliminary Injunction. The City believes, moreover, that granting the relief requested herein will assist the Court in properly disposing of the many issues raised in Plaintiffs' Motion for Preliminary Injunction.

Wherefore, it is respectfully requested that this Court grant the within Motion and authorize the City to file a response to Plaintiffs' Motion for Preliminary Injunction which does not exceed thirty (30) pages in length.

CERTIFICATE OF GOOD FAITH COMPLIANCE WITH LOCAL RULE 3.01(g)

The City's undersigned counsel, in accordance with Local Rule 3.01(g), has conferred with counsel for Plaintiffs concerning the relief requested herein and counsel for Plaintiffs does not consent to the relief requested herein.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 18, 2017 the foregoing was electronically filed with the Clerk of Court and a copy is being furnished by email to the following: Roger K. Gannam, Esquire at rgannam@lc.org; Horatio G. Mihet, Esquire at hmihet@lc.org; Mathew D. Staver, Esquire at mat@lc.org and court@lc.org; and Daniel J. Schmid, Esquire at dschmid@lc.org (Liberty Counsel, P.O. Box 540774, Orlando, FL 32854).

By: /s/ Jerry M. Gewirtz
Jerry M. Gewirtz, Esquire