

IN THE UNITED STATES DISTRICT COURT FOR
THE 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, and SOLI DEO)
GLORIA INTERNATIONAL, INC.)
d/b/a NEW HEARTS OUTREACH)
TAMPA BAY, individually and on behalf)
of its members, constituents and clients,)
)
Plaintiffs,)

Civil Action No. 8:17-cv-02896-CEH-AAS

INJUNCTIVE RELIEF SOUGHT

v.)
)

CITY OF TAMPA, FLORIDA, and)
SAL RUGGIERO, in his official capacity)
as Manager of the City of Tampa)
Neighborhood Enhancement Division,)
)
Defendants)

**PLAINTIFFS’ UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
CONSOLIDATED RESPONSE TO DEFENDANTS’ MOTIONS TO DISMISS AND
REPLY IN SUPPORT OF SECOND MOTION FOR PRELIMINARY INJUNCTION**

(REQUEST FOR EXPEDITED CONSIDERATION INCLUDED)

With the consent of Defendants, and pursuant to Fed. R. Civ. P. 6(b) and M.D. Fla. Local Rule 3.0, Plaintiffs, Robert L. Vazzo, LMFT, David H. Pickup, LMFT, individually and on behalf of their patients, and Soli Deo Gloria International, Inc. d/b/a New Hearts Outreach Tampa Bay, individually and on behalf of its members, constituents, and clients (collectively “Plaintiffs”), by and through the undersigned counsel, hereby move this Court for a two-week extension of time, to and including August 24, 2018, to file their consolidated Response in Opposition to Defendants’ Motions to Dismiss and Reply in Support of Second Motion for Preliminary Injunction. In support, Plaintiffs show the Court as follows:

1. On June 12, 2018, Plaintiffs filed their First Amended Verified Complaint. (Dkt. 78, “FAVC”).

2. On June 26, 2018, Plaintiffs filed their Second Motion for Preliminary Injunction. (Dkt. 85).

3. On June 26, 2018, Defendant City of Tampa filed a motion to dismiss Plaintiffs’ FVAC. (Dkt. 84)

4. On July 10, 2018, Defendant Sal Ruggiero filed his separate motion to dismiss Plaintiffs’ FVAC. (Dkt. 91).

5. Also on July 10, 2018, non-party Equality Florida submitted an amicus brief in support of Defendants’ motions to dismiss Plaintiffs’ FVAC. (Dkt. 92).

6. On July 24, 2018, Defendants submitted their response in opposition to Plaintiffs’ Second Motion for Preliminary Injunction (dkt. 99), and non-party Equality Florida submitted its amicus brief in opposition to Plaintiffs’ Second Motion for Preliminary Injunction. (Dkt. 98).

7. Plaintiffs’ consolidated response to all of the foregoing filings is currently due on August 10, 2018. Although Plaintiffs are working diligently on their consolidated response, they need a two-week extension of time, to and including August 24, 2018, to complete it.

8. Defendants’ **three** submissions and non-party Equality Florida’s **two** submissions total **over 100 pages**, and require a comprehensive and detailed response.

9. Among many other professional commitments during their response period, counsel for Plaintiffs are required to attend a hearing in federal litigation in California, a separate hearing in a criminal case also in California (requiring a separate, cross-country trip), and a preliminary injunction hearing in federal court in Massachusetts. Counsel for Plaintiffs must expend significant time preparing for these hearings, and the extensive travel requires Plaintiffs’

counsel to be out of the office and unable to attend to Plaintiffs' consolidated response for many days of their response period.

10. Plaintiffs note that the hearing on Plaintiffs' Second Motion for Preliminary Injunction and on Defendants' Motions to Dismiss will not occur until October 10, 2018. Granting the relief requested herein will not affect the October 10, 2018 hearing, still over two months away, and will therefore not delay these proceedings.

11. Plaintiffs do not submit this motion for purposes of undue delay, and no party will be prejudiced by the relief requested in the instant motion.

12. Prior to filing the instant motion, Plaintiffs' counsel conferred with counsel for Defendants, who indicated that Defendants consent to the relief requested herein. This motion is therefore unopposed.

13. In view of Plaintiffs' current submission deadline of August 10, 2018, and the unopposed nature of this motion, Plaintiffs respectfully request expedited consideration.

WHEREFORE, for good cause shown, Plaintiffs respectfully request that this Motion be granted, and that the Court grant Plaintiffs a two-week extension of time, to and including August 24, 2018, to file their consolidated Response in Opposition to Defendants' Motions to Dismiss and Reply in Support of Second Motion for Preliminary Injunction.

Respectfully submitted,

/s/ Horatio G. Mihet

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CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of August, 2018, I caused a true and correct copy of the foregoing to be filed electronically with this Court. Service will be effectuated on all counsel of record via this Court's ECF/electronic service system.

/s/ Horatio G. Mihet

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