

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

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, pursuant to Fed. R. Civ. P. 6(b) and M.D. Fla. Local Rule 3.01, and with the consent of Defendants, move the Court for a two-business day extension of time, to and including August 28, 2018, to file their consolidated Response in Opposition to Defendants' Motions to Dismiss and Reply in

Support of Second Motion for Preliminary Injunction (the “Consolidated Response”). In support, Plaintiffs show the Court as follows:

1. Pursuant to the Court’s Order of August 7, 2018 (Doc. 105), Plaintiffs’ Consolidated Response is currently due on Friday, August 24.

2. Also due on August 24 is the Parties’ joint notice advising the Court whether the preliminary injunction hearing on October 10, 2018 will be evidentiary or non-evidentiary. (Doc. 102.) Whether Plaintiffs will need to put on evidence at the preliminary injunction hearing depends in large part on Plaintiffs’ ability to obtain, prior to the hearing, critical discovery that Plaintiffs requested from Defendants on August 9, 2018 (*see* Doc. 106-1). Plaintiffs believe conducting the preliminary injunction hearing on a record that includes Defendants’ discovery responses and deposition testimony will very likely obviate the need for live witness testimony, which will make the hearing more efficient for the Court and the parties. Defendants, however, have moved for an extension of time to respond to the discovery (Doc. 106), to set their written response deadline **two months after** the hearing, and their document production deadline **three months after** the hearing. (Doc. 106 at 15.) The Court has set an expedited briefing schedule on Defendants’ motion (Doc. 107), requiring Plaintiffs’ response by noon on Monday, August 27. Plaintiffs will address these issues in their Response to Defendants’ motion they intend to file by noon on August 27.

3. Plaintiffs’ counsel have been working diligently to complete the Consolidated Response on the current schedule. Due to the large number of issues to be covered, however, combined with Plaintiffs’ lead counsel’s having to travel out of state for a hearing in a Vermont federal case earlier this week, and the unanticipated additional time needed to respond to the

critical discovery issue raised by Defendants (which response is due less than one business day after the Consolidated Response is currently due), Plaintiffs' counsel need two additional business days to complete the Consolidated Response in an appropriately organized, clear, and concise submission.

4. Because the hearing on Plaintiffs' Second Motion for Preliminary Injunction and on Defendants' Motions to Dismiss will not occur until October 10, granting the relief requested herein will not affect the hearing or otherwise delay these proceedings.

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

6. 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.

7. In view of Plaintiffs' current submission deadline of August 24, 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-business day extension of time, to and including August 28, 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/ Roger K. Gannam

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CERTIFICATE OF SERVICE

I hereby certify that on this August 22, 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/ Roger K. Gannam
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