

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

ROBERT W. OTTO, PH.D. LMFT,)	
individually and on behalf of his patients,)	
and JULIE H. HAMILTON, PH.D., LMFT,)	
individually and on behalf of her patients,)	Civil Action No. <u>9:18-cv-80771-RLR</u>
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF BOCA RATON, FLORIDA, and)	
COUNTY OF PALM BEACH, FLORIDA,)	
)	
Defendants.)	

**PLAINTIFFS’ MOTION FOR ONE-BUSINESS-DAY EXTENSION OF TIME
TO FILE FINAL PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW
ON PLAINTIFFS’ PRELIMINARY INJUNCTION MOTION
AND REQUEST FOR EXPEDITED CONSIDERATION**

Plaintiffs, pursuant to S.D. Fla. L. R. 7.1, move the Court for a one-business-day extension of time, to and including November 13, 2018, at 5:00 PM, to file their Final Proposed Findings of Fact and Conclusions of Law on Plaintiffs’ preliminary injunction motion. Plaintiffs respectfully request expedited consideration, and state as follows in support, of this motion:

1. Pursuant to the Court’s October 23, 2018 Order memorializing the deadlines set at the preliminary injunction hearing (DE 123), the parties’ respective Final Proposed Findings of Fact and Conclusions of Law on Plaintiffs’ preliminary injunction motion are due to be filed by 5:00 PM on November 9, 2018.

2. Since the preliminary injunction hearing on October 18, 2018, Plaintiffs’ counsel have been required to prepare for and take the depositions of the individual and governmental defendants in the similar Middle District of Florida case, *Vazzo v. City of Tampa*, No. 8:17-cv-2896-T-02AAS, and required to prepare for the full-day preliminary injunction hearing in that case scheduled for November 15, 2018.

3. Nonetheless, Plaintiffs’ counsel have been working diligently on the Final Proposed Findings of Fact and Conclusions of Law due to this Court. Given, however, the large number of issues to be covered and the volume of the evidentiary record, and especially the Court’s

strong admonition to the parties “to be as judicious as possible and to focus their attention on the most significant facts and legal arguments” (Order, DE 123), Plaintiffs’ counsel need the additional one business day to complete the proposed findings and conclusions in an appropriately organized and clear submission.

4. Early this afternoon the undersigned counsel for Plaintiffs attempted to reach by telephone respective counsel for the City and the County to confer regarding their positions on the relief requested herein, and was advised by both their offices that counsel were unavailable to speak due to depositions or meetings in other matters. Accordingly, the undersigned counsel for Plaintiffs made the request for Defendants’ respective positions by e-mail to Defendants’ counsel. As of the filing of this motion, the undersigned has not received any response from Defendants’ counsel, and therefore cannot represent either Defendant’s position to the Court. The undersigned counsel for Plaintiffs will notify the Court promptly of Defendants’ respective positions upon communication of such positions to the undersigned by Defendants’ counsel.

WHEREFORE, for good cause shown, Plaintiffs’ respectfully request that the Court consider this motion on an expedited basis, and enter an order extending the parties’ deadline to file their respective Final Proposed Findings of Fact and Conclusions of Law by one business day, to November 13, 2018 at 5:00 PM.

Respectfully submitted,

/s/ Roger K. Gannam
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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this November 8, 2018, I caused a true and correct copy of the foregoing to be filed electronically with the Court's CM/ECF system. Service upon all counsel of record will be effectuated by the Court's electronic notification system.

/s/ Roger K. Gannam
Roger K. Gannam
Attorney for Plaintiffs