

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF OHIO

NICHOLAS K. MERIWETHER,

Plaintiff,

v.

THE TRUSTEES OF SHAWNEE STATE
UNIVERSITY, *et al.*,

Defendants.

Case No: 1:18-cv-00753-SJD

THE HONORABLE SUSAN J. DLOTT

THE HONORABLE KAREN L. LITKOVITZ

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE OBJECTIONS TO THE REPORT & RECOMMENDATION**

Plaintiff Nicholas K. Meriwether, by and through counsel, and pursuant to S.D. Ohio Civ. R. 7.3, moves that this Court extend the deadline for filing his objections to the Report and Recommendation to October 3, 2019. In support of this Motion, Plaintiff relies on the following facts:

1. On September 5, 2019, Magistrate Judge Litkovitz issued a Report and Recommendation, recommending that Plaintiff's Amended Complaint be dismissed. *See R. & R.*, Sept. 5, 2019, Doc. 49, PageID.2095, *et seq.*

2. Under FED. R. CIV. P. 72(b), Plaintiff must file his objections to the Report and Recommendation within fourteen days, making them due on September 19, 2019.

3. The Report and Recommendation is sixty-two pages long, making it more than 150% as long as the combined length of Plaintiff's briefing in opposition to the two motions to dismiss.

4. In those sixty-two pages, the Report and Recommendation cites and analyzes almost forty judicial opinions that no party in this case referenced in the briefing. Hence, Plaintiff needs additional time to respond to the arguments based on these cases.

5. In addition, before receiving the Report and Recommendation, Mr. Barham, who serves as Plaintiff's lead counsel and is authoring Plaintiff's objections, incurred numerous obligations in connection with other cases and professional duties,

including some that have required out-of-state travel.

6. Thus, there is good cause to extend the deadline for Plaintiff's objections. *See* FED. R. CIV. P. 6(b)(1)(A). Plaintiff respectfully requests an extension of fourteen days, making his response due on October 3, 2019.

7. Pursuant to S.D. Ohio Civ. R. 7.3(a), on September 9, 2019, Mr. Barham contacted counsel for Defendants and Intervenors regarding this requested extension of time. Neither party opposes the extension, according to Mr. Callahan and Mr. Unikowsky.

8. Plaintiff has not previously sought an extension of time for these objections.

WHEREFORE, Plaintiff respectfully requests that this Court grant his Motion for Extension of Time and extend the deadline for his objections to the Report & Recommendation to October 3, 2019. A proposed order is attached.

Respectfully submitted this 10th day of September, 2019.

/s/ Travis C. Barham

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September, 2019, I filed a true and accurate copy of the foregoing document and the accompanying proposed order with the Clerk of Court using the CM/ECF system, which automatically sends an electronic notification to the following attorneys of record:

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Respectfully submitted on this the 10th day of September, 2019.

/s/ Travis C. Barham

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PROPOSED ORDER

Having considered the matter, and for good cause shown, the Court hereby GRANTS Plaintiff's Unopposed Motion for Extension of Time to File Objections to the Report & Recommendation and ORDERS that his objections be filed on or before October 3, 2019.

So ordered this _____ day of _____, 2019.

THE HONORABLE KAREN L. LITKOVITZ
United States Magistrate Judge