UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

JEFFREY RYAN FENTON, Plaintiff, v VIRGINIA LEE STORY, et al., Defendants.	Case No. 1:23-CV-01097 Hon. Paul L. Maloney **Brief in support of Motion of Defendants Roy Patrick Marlin and McArthur Sanders Real Estate for an extension of time to respond to Plaintiff's First Amended Complaint**

In support of the motion of Defendants Roy Patrick Marlin and McArthur Sanders Real Estate (McArthur) for an extension of time to respond to Plaintiff's First Amended Complaint, they state as follows:

1. Plaintiff's amended complaint consists of 292 numbered paragraphs and 103 pages (ECF No. 66).

2. On August 26, 2024, and August 27, 2024, respectively, Defendants Marlin and McArthur received the amended complaint via certified mail. Under Fed.R.Civ.P. 12(a)(1)(A)(i), they must serve a response to the amended complaint within 21 days, or by September 16 and September 17, 2024, respectively.

3. On September 11, 2024, the undersigned was retained to represent Defendants Marlin and McArthur.

4. The undersigned has not yet fully analyzed all defenses available to Defendants Marlin and McArthur because (1) Mr. Marlin's father passed away on September 11, 2024 and the undersigned has not yet had an opportunity to discuss this case with him; (2) the undersigned has not yet had an opportunity to review her clients' documents

regarding Plaintiff's claim; and (3) the length of the complaint and the jumbled and confusing allegations make it difficult to identify and analyze the specific allegations against Defendants Marlin and McArthur.

5. In accordance with W.D.Mich. LCivR 7.1(d), on September 12, 2024, the undersigned telephoned Plaintiff to attempt to obtain his concurrence in this motion. The undersigned was unable to speak with Plaintiff and left a voice mail for him at the telephone number listed on his pleadings. The undersigned did not receive a return telephone call from Plaintiff; accordingly, on September 12, 2024, at 7:38 pm, the undersigned emailed Plaintiff at his email address listed on his pleadings, and requested his concurrence with the relief sought in this motion. Plaintiff has not responded.

6. Accordingly, because the undersigned has had insufficient time to fully analyze Plaintiff's allegations and identify available defenses, Defendants Marlin and McArthur respectfully request the entry of an order extending until October 8, 2024, the time within which they are required to answer or otherwise plead to Plaintiff's First Amended Complaint.

Respectfully submitted,

Dated: September 12, 2024

/s/ Sandra J. Densham

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