

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

| | | |
|-----------------------------|---|-----------------------|
| MARK W. RASMUSSEN, RECEIVER | § | |
| FOR ARISEBANK | § | |
| Plaintiff, | § | |
| | § | |
| v. | § | Case No. 3:18-CV-1034 |
| | § | |
| RICHARD SMITH, JR., and | § | |
| KURT F. MATTHEW, JR. | § | |
| Defendants. | § | |

**UNOPPOSED MOTION TO EXTEND RESPONSE DATE
TO PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT**

COMES NOW the Defendants in the above entitled and numbered cause, RICHARD SMITH, JR. and KURT F. MATTHEW, JR., and moves the Court to extend the date to file each Defendant’s response to the plaintiff’s motion for summary judgment filed herein, and would show the Court the following:

I.

The plaintiff has file a Motion for Summary Judgment, and the response is due on or about today, March 29, 2019.

II.

The parties have discussed potential settlements, and more recently have engaged in specifics of the Defendants’ financial status and abilities. The parties wish to continue such negotiations, and at least one Defendant is providing more specific financial information to the

Plaintiff for this purpose. Thus, the parties are continuing efforts to settle, and the Defendants respectfully request that the Court extend the due date for the response to the summary judgment motion to April 8, 2019.

III.

Counsel for the Plaintiff, James Cox, has no objection to extending the Defendants' response date to April 8, 2019.

IV.

For good cause, as per Fed.R.Civ.P. 6, the Defendants file this motion to extend the date for a reasonable amount of time. Good cause here includes the parties' negotiations and efforts to obtain and review financial information.

Neither party will be prejudiced by an extension.

WHEREFORE, PREMISES CONSIDERED, defendant respectfully requests that the Court extend this response date as requested to April 8, 2019.

Respectfully Submitted,

/s/ John Teakell
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CERTIFICATE OF CONFERENCE

This is to certify that the undersigned counsel conferred with James Cox, counsel for plaintiff, and he does not object to this motion.

/s/ John Teakell
John Teakell

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing motion was served upon all parties of record on March 29, 2018 via electronic filing.

/s/ John Teakell
John Teakell