

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

MIAMI DIVISION

CASE NO. 1:16-CV-21224-MORENO

MASTER SGT. ANTHONY R. EDWARDS,
USAF, RETIRED; MASTER SGT.
SALVATORE CAPACCIO, USAF; GATOR
CAPITAL MANAGEMENT, LLC; PERINI
CAPITAL LLC; ALLEN HARDEN; ED
BIERYLA; DOREEN BIERYLA; JORGE
ZAPATA; HIREN PATEL; LOUISE
STRANG; JOHNNA B. WATSON; MELODY
SULLIVAN; AMIT CHOKSI; PHIL
MILLER; JAMES FERGUSON; GORDON
INMAN; SHAUN INMAN; MICHAEL
CARMODY; MATT HILL; JOSEPH
WASKE; MARYAM MOINFAR; WAYNE
OLSON; RICH KIVELA; CHRIS
WOSSILEK; and MATTHEW REED,

Plaintiffs,

vs.

PRICEWATERHOUSECOOPERS, LLP,

Defendant.

_____ /

JOINT MOTION TO EXTEND DEADLINES

Plaintiffs, Master Sgt. Anthony R. Edwards, USAF, Retired; Master Sgt. Salvatore Capaccio, USAF; Gator Capital Management, LLC; Perini Capital LLC; Allen Harden; Ed Bieryla; Dorren Bieryla; Jorge Zapata; Hiren Patel; Louise Strang; Johnna B. Watson; Melody Sullivan; Amit Choksi; Phil Miller; James Ferguson; Gordon Inman; Shaun Inman; Michael Carmody; Matt Hill; Joseph Waske; Maryam Moinfar; Wayne Olson; Rich Kivela; Chris Wossilek; and Matthew Reed (“Plaintiffs”) and Defendant, PricewaterhouseCoopers LLP

(“PwC”) (Plaintiffs and PwC hereinafter the “Parties”) file this, their Joint Motion to Extend Deadlines and in support thereof states as follows:

On August 15, 2016, Plaintiffs filed their Motion to Remand this matter to state court contending this Court lacks jurisdiction. (Motion, DE 28) Pursuant to Local Rule 7.1(c)(1)(A), PwC’s Response is due September 1, 2016 and Plaintiffs’ Reply is due September 14, 2016. The Parties have agreed to and request an extension of time to file their Response and Reply to September 14, 2016 and October 12, 2016, respectively.

Furthermore, the Parties respectfully request the Court to extend or stay the deadline for PwC to respond to Plaintiffs’ Complaint. On August 9, 2016, before Plaintiffs’ filed their Motion to Remand, this Court granted Defendant’s Unopposed Motion to Reopen Case and set the deadline to respond to Plaintiffs’ Complaint on or before August 23, 2016. (Order, DE 27) In light of the subsequently filed Motion to Remand, and to avoid unnecessary litigation costs, the Parties request and have agreed the deadline for PwC to file a response to the Complaint should be extended or stayed until thirty (30) days after the Court enters an Order on Plaintiffs’ Motion to Remand.

The Parties additionally request and have agreed that the Court defer issuing a scheduling order pursuant to Federal Rule of Civil Procedure 16(b) until sixty (60) days after the Court enters an Order on Plaintiffs’ Motion to Remand.

WHEREFORE, the Parties, Plaintiffs, Master Sgt. Anthony R. Edwards, USAF, Retired; Master Sgt. Salvatore Capaccio, USAF; Gator Capital Management, LLC; Perini Capital LLC; Allen Harden; Ed Bieryla; Dorren Bieryla; Jorge Zapata; Hiren Patel; Louise Strang; Johnna B. Watson; Melody Sullivan; Amit Choksi; Phil Miller; James Ferguson; Gordon Inman; Shaun Inman; Michael Carmody; Matt Hill; Joseph Waske; Maryam Moinfar; Wayne Olson; Rich

Kivela; Chris Wossilek; and Matthew Reed and Defendant, PricewaterhouseCoopers LLP respectfully request this Court enter an Order extending the deadline for PwC to file a Response to Plaintiffs' Motion to Remand to September 14, 2016 and for Plaintiffs' to file a Reply to its Motion to Remand to October 12, 2016 and, if the Court denies Plaintiffs' Motion to Remand, extend the deadline for PwC to file a response to Plaintiffs' Complaint until thirty (30) days after the Court enters said Order and defer issuing a scheduling order pursuant to Federal Rule of Civil Procedure 16(b) until sixty (60) days after the Court enters said Order.

Date: August 16, 2016.

Respectfully submitted,

/s/ Ramón A. Abadin
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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 16, 2016, a true and correct copy of the foregoing was filed electronically with the Clerk of the Court, by using the CM/ECF system, causing a true and correct copy to be served on all counsel of record.

<p>Steven W. Thomas, Esq. steventhomas@tafsattorneys.com THOMAS, ALEXANDER & FORRESTER LLP 14 27th Avenue Venice, CA 90291 Telephone: (310) 961-2536 Facsimile: (310) 526-6852</p> <p><i>Counsel for Plaintiffs</i></p>	<p>Hector Lombana, Esq. hlombana@glhlawyers.com GAMBA & LOMBANA, P.A. 2701 Ponce de Leon Boulevard Mezzanine Coral Gables, Florida 33134 Telephone: (305) 448-4010 Facsimile: (305) 448-9891</p> <p><i>Counsel for Plaintiffs</i></p>
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/s/Ramón A. Abadin
 Ramón A. Abadin

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

MIAMI DIVISION

CASE NO. 1:16-CV-21224-MORENO

MASTER SGT. ANTHONY R. EDWARDS,
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Plaintiffs,

vs.

PRICEWATERHOUSECOOPERS, LLP,

Defendant.

**[PROPOSED] ORDER GRANTING JOINT
MOTION TO EXTEND DEADLINES**

THIS CAUSE came before the Court upon the Parties' Joint Motion to Extend Deadlines (DE __). This Court has considered the Joint Motion, the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED that:

1. The Parties' Joint Motion to Extend Deadlines (DE __) is hereby **GRANTED**.
2. Defendant, Pricewaterhousecoopers LLP's, Response to Plaintiffs' Motion to

Remand (DE 28) shall be due on or before September 14, 2016.

3. Plaintiffs' Reply to its Motion to Remand shall be due on or before October 12, 2016.

4. In the event Plaintiffs' Motion to Remand is denied, Pricewaterhousecoopers LLP's Response to Plaintiffs' Complaint shall be due thirty (30) days after the Court enters said Order.

5. This Court defers issuing a scheduling order pursuant to Federal Rule of Civil Procedure 16(b) until sixty (60) days after the Court enters an Order on Plaintiffs' Motion to Remand.

DONE AND ORDERED in Chambers at Miami, Florida, this _____ day of August, 2016.

FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies furnished to:

All Counsel of Record