

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

PAUL DUFFY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 13-cv-1569
	)	Judge: Honorable John W.
	)	Darrah
PAUL GODFREAD, ALAN COOPER, and JOHN DOES 1-10,	)	
	)	
Defendants.	)	

**PLAINTIFF’S MOTION FOR AN EXTENSION OF TIME  
TO FILE MOTION TO DISMISS, INSTANTER**

Plaintiff, by and through its undersigned counsel, as and for its Motion For Extension of Time To file Motion To Dismiss, *Instanter*, states as follows:

1. At a hearing on October 8, 2013, the Court entered a briefing schedule under which Plaintiff was to file a motion to dismiss Defendants’ Amended Counterclaim on or before October 15, 2013. ECF No. 39.

2. On or about October 14, 2013, undersigned counsel encountered a legal emergency situation in connection with another matter pending before another judge in the U.S. District Court for the Northern District of Illinois. Addressing the emergency required several days of time and effort to address. As a consequence of that emergency in the unrelated case, undersigned was unable to timely submit its motion on October 15, 2013.

3. Plaintiff respectfully requests that the Court grant it leave to file this Motion, *instanter*, at this time. Plaintiff brings this Motion because the emergency described herein was unforeseen by undersigned counsel at the October 8, 2013 hearing.

4. Plaintiff does not bring this Motion for an improper purpose, or for purposes of undue delay. Rather, Plaintiff brings it because he was not able due to unforeseen circumstances to file it by October 15, 2013. Plaintiff, of course, has no objection to Defendant being provided additional time to file a response brief. Furthermore, the next scheduled hearing date in this matter is February 5, 2014, and it does not appear that granting this Motion will have an impact on that date.

WHEREFORE, for all of the foregoing reasons, Plaintiff respectfully requests that the Court grant it leave to file, *instanter*, the attached Motion to Dismiss Defendants' Amended Counterclaim; and for any and all further relief that the Court deems to be reasonable and appropriate under the circumstances.

By: /s/ Paul Duffy  
One of his attorneys

Paul Duffy, Esq.  
Duffy Law Group  
2 N. LaSalle Street, 13<sup>th</sup> Floor  
Chicago, IL 60602  
Telephone: (312) 952-6136

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 22, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy  
Paul Duffy

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