

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

JAMES G. PERDIGAO

versus

**ADAMS AND REESE, L.L.P.,
CHARLES P. ADAMS, JR.,
B. JEFFREY BROOKS,
EDWIN C. LAIZER,
PAUL J. LASSALLE,
THOMAS G. O'BRIEN,
MARK J. SPANSEL,
MARTIN A. STERN, and
ROBERT A. VOSBEIN**

CIVIL ACTION NO. 08-3570

SECTION: L

JUDGE ELDON E. FALLON

MAGISTRATE: 5

**EX PARTE MOTION FOR EXTENSION OF TIME
TO FILE PLAINTIFF'S RICO CASE STATEMENT**

NOW INTO COURT, through undersigned counsel, comes plaintiff, James G. Perdigo, who respectfully moves this Court for a 30 day extension of time through July 23, 2008, to file plaintiff's RICO Case Statement and who respectfully represents as follows:

On June 3, 2008, this Court issued its RICO Standing Order requiring that plaintiff shall file plaintiff's RICO Case Statement within 20 days after the entry of the RICO Standing Order. As a result, the plaintiff's RICO Case Statement is presently due on June 23, 2008.

Although no counsel has made an appearance on behalf of the defendants in this action, Stephen H. Kupperman has advised undersigned counsel that he has been retained to represent the defendants in this matter. Counsel for plaintiff requested, through Mr. Kupperman, that defendants consent to an extension of time to file plaintiff's RICO Case Statement. On June 16, 2008, Mr. Kupperman advised undersigned counsel that "our side is vehemently opposed to an extension." However, given the fact that Mr. Kupperman has not made an appearance in this action, plaintiff files this *ex parte* motion for an extension because as of the date hereof, there has been no formal appearances on behalf of any of the defendants.

Plaintiff is unable to properly prepare his RICO Case Statement within the original 20 day time frame. Additionally, plaintiff's counsel, Robert H. Matthews, has recently been out of his office for a week due to his wife's hospitalization because of complications from chemotherapy for her cancer treatment, and for that reason, Mr. Matthews has been unable to participate fully in the preparation of the RICO Case Statement. Also, given the fact that counsel for defendants has not yet even made an appearance in this action, it does not appear to be overly burdensome to defendants to grant the additional time requested by plaintiff.

WHEREFORE, plaintiff prays that his motion for extension of time through July 23, 2008 to file plaintiff's RICO Case Statement be granted for the reasons set forth herein.

Respectfully submitted,

/s/ Robert H. Matthews

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing pleading has been filed electronically with the United States District Court for the Eastern District of Louisiana, Clerk of Court by using the CM/ECF system which will send a notice electronic filing to all counsel of record on this 17th day of June, 2008.

/s/ Robert H. Matthews

ROBERT H. MATTHEWS

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ORDER

Considering plaintiff's foregoing motion for extension of time,

IT IS HEREBY ORDERED that plaintiff is hereby granted an extension of time through July 23, 2008 to file Plaintiff's RICO Case Statement.

New Orleans, Louisiana, this _____ day of _____, 2008.

UNITED STATES DISTRICT COURT JUDGE