

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

<p>MEMBER WILLIAMS, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>KISLING, NESTICO & REDICK, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. CV-2016-09-3928</p> <p>Judge James A. Brogan</p> <p>Motion for Extension of Time in which to Respond to Defendants' Pending Motions and File Reply Briefs on Plaintiffs' Pending Motions</p>
--	---

Plaintiffs hereby move for an extension of time, until next Friday, May 24, in which to respond to Defendants' pending motions and to file reply briefs on Plaintiffs' pending motions. This motion is necessary to allow Plaintiffs an opportunity to fully respond to the ancillary issues raised in these motions¹ while also complying with the impending May 15, 2019 class certification deadline. Plaintiffs do not seek this extension in bad faith or for any other improper purpose.

Because the spirit of the civil rules requires courts to emphasize "liberal construction rather than technical interpretation," *see Perry v. Eagle-Picher Industries*, 52 Ohio St.3d 168, 170, 556 N.E.2d 484 (1990), "trial courts are afforded wide discretions to grant extensions of time." *United Studios of Am. v. Laman*, 5th Dist. Stark No. 2007CA00277, 2008-Ohio-3497, ¶ 24. Accordingly, the Court

¹ Defendants' pending motions to which Plaintiffs seek to respond by next Friday include Ghoumbrial's Motion for Reconsideration (filed 4/23/19), Ghoumbrial's Supplemental Brief Regarding Spousal Privilege or Immunity (filed 4/26/19), Julie Ghoumbrial's Motion to Set Aside Magistrate's Order of April 26, 2019 (filed 4/30/19), Ghoumbrial's Motion to Strike, for Sanctions, and a Finding of Contempt (filed 5/3/19). Additionally, Plaintiffs also seek leave to file reply briefs on Plaintiffs' pending motions, including in response to the KNR Defendants' Opposition to Plaintiffs' Motion for Protective Order and Sanctions (filed 5/1/19), Ghoumbrial's Reply in Support of Motions to Stay and Set Aside Magistrate's Order of April 26, 2019 (filed 5/7/19), Ghoumbrial's and Julie's Oppositions to Motion to Compel Divorce Settlement Agreement (filed 5/7/19), and Defendants' Oppositions to Plaintiffs' Motion to Compel Discovery of Defendants' Assets and Net Worth (filed 5/10/19 and 5/13/19).

should grant Plaintiffs' an extension of time in which to respond to Defendants' pending motions and to file reply briefs on Plaintiffs' pending motions.

Respectfully submitted,

/s/ Rachel Hazelet

Peter Pattakos (0082884)

Rachel Hazelet (00097855)

THE PATTAKOS LAW FIRM LLC

101 Ghent Road

Fairlawn, Ohio 44333

Phone: 330.836.8533

Fax: 330.836.8536

peter@pattakoslaw.com

rhazelet@pattakoslaw.com

Joshua R. Cohen (0032368)

Ellen Kramer (0055552)

COHEN ROSENTHAL & KRAMER LLP

The Hoyt Block Building, Suite 400

Cleveland, Ohio 44113

Phone: 216.781.7956

Fax: 216.781.8061

jcohen@crklaw.com

Attorneys for Plaintiffs

Certificate of Service

The foregoing document was filed on May 14, 2019, using the Court's e-filing system, which will serve copies on all necessary parties.

/s/ Rachel Hazelet

Attorney for Plaintiffs