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*Attorney for Defendants, James Leslie Reading,  
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**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

UNITED STATES OF AMERICA,  
*Plaintiff*

2:11-cv-00698-FJM

v.

**UNOPPOSED MOTION TO EXTEND  
TIME TO RESPOND TO  
COMPLAINANT'S MOTION FOR  
SUMMARY JUDGMENT AND FOR  
LEAVE TO EXCEED PAGE LIMITS  
(FIRST REQUEST)**

JAMES LESLIE READING, CLARE L.  
READING, FOX GROUP TRUST,  
MIDFIRST BANK, CHASE, FINANCIAL  
LEGAL SERVICES, STATE OF ARIZONA  
*Defendants*

Now come JAMES LESLIE READING, CLARE L. READING and FOX GROUP TRUST (hereinafter collectively referred to as "Readings" or "the Readings"), through undersigned counsel, who, move the court to extend movers' time to respond to the government's Motion for Summary Judgment (Doc. 52) for three weeks and to grant leave for Readings' and Trust's response to exceed the Rule 7.2(e) page limitation, in support of which the Readings and Trust offer the following:

1. **The magnitude of the Motion:** On May 11, 2012, the government filed a Motion for Summary Judgment (MSJ) alleging that 93 facts were undisputed and attaching of over fifty (50) exhibits comprising many hundreds of pages. The instant suit and the MSJ

include actions on at least thirty-five (35) assessments, each with its own process, which is equivalent to thirty-five separate actions, each with its essential elements that must be established as beyond dispute. The thirty (30) day period for filing an opposition to the motion therefore expires on June 30, 2012, a Sunday, which means that movers' response is due on June 11, 2012.

2. Counsel was in Ohio preparing a criminal case for trial at the time the MSJ was filed and unable to turn to the motion immediately, but at the earliest opportunity counsel began sorting through exhibits and researching legal issues presented by the MSJ.

3. **Counsel's exacerbated case load:** Due to personal illness which prevented counsel from performing his duties during most of March and April much of that work load had to be deferred, requiring redoubled efforts despite a slow and lengthy recuperative period, many of which duties are in competition with counsel's efforts with respect to the subject MSJ.

4. **Competing prior commitments:** Counsel also has another commitment, predating the filing of the MSJ, to meet a filing due date of June 11, 2012, for an appellate brief in the 11<sup>th</sup> Circuit Court of Appeals in a case involving multiple actions and complex issues.

5. **Due diligence:** Since that time counsel has, in spite of reduced strength and stamina and increased work load, diligently sought to analyze, formulate and assemble movers' response to the motion and Readings and Trust have worked diligently to locate and produce documentation requested by counsel. Those materials and documents, however, cover a span of nearly twenty (20) years of intensive correspondence and disputed communications and actions between the parties and consist, literally, of bushels of documents. Despite best efforts by both counsel and his clients counsel realizes that completing the necessary location of documents, research and responding to the MSJ by the June 11, 2012, due date is a virtual impossibility.

6. Accordingly, movers desire the Court grant them three weeks additional time in which to respond to the MSJ.

7. Research and review of the motion thus far has already established that in order to identify, demonstrate and address material issues of fact covering what is, essentially, thirty-five (35) causes of action both as to the merits of each claim and as to the remedy sought, many of the exhibits attached to the MSJ are improper pursuant to Rule 56 and should be struck from the record.

8. Pursuant to Rule 7.2(m), the necessary motion to strike such exhibits may not be filed separately but must be incorporated into movers' opposition to MSJ. Filed separately, each would be entitled to seventeen (17) pages, a total of thirty-four (34) pages, according to the local rules.

9. Between the volume of materials attached to both the MSJ and the anticipated numerous attachments in response, the multitude of causes that must be addressed and the required merger of the opposition and the necessary motion to strike, it is impossible for movers to fairly and properly state their grounds for objection to the MSJ and for striking the improper exhibits and to provide legal authority therefor in seventeen (17) letter-size, double-spaced pages.

10. Movers therefore respectfully request that they be granted leave to exceed the Rule 7.2(e) page limitation of seventeen (17) pages in responding to the MSJ.

11. **Conferring with opposing counsel:** Counsel has conferred by email with counsel for the government, advising him of movers' intent to move the court for a three week extension and leave to exceed page limitations, and opposing counsel has indicated to movers' counsel that the government is not opposed to this motion.

WHEREFORE, for the reasons set forth hereinabove JAMES LESLIE READING, CLARE L. READING and FOX GROUP TRUST respectfully, but most urgently, move the Court to grant them three weeks' additional time in which to respond to the government's Motion for Summary Judgment (Doc. 52) filed herein, and for leave of Court to exceed the seventeen (17) page limitation pursuant to Local Rule 7.2(e).

Dated: June 1, 2012.

Respectfully submitted,

/s/ Tommy K. Cryer  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have on this date electronically filed the foregoing Memorandum in Support of Motion to Dismiss Complainant's Seventh Claim with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel for the parties:

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Shreveport, Louisiana, this 1<sup>st</sup> day of June, 2012.

/s/ Tommy K. Cryer

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UNITED STATES OF AMERICA,  
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**(PROPOSED)**

JAMES LESLIE READING, CLARE L.  
READING, FOX GROUP TRUST,  
MIDFIRST BANK, CHASE, FINANCIAL  
LEGAL SERVICES, STATE OF ARIZONA  
*Defendants*

**ORDER GRANTING MOTION TO  
EXTEND TIME AND FOR LEAVE TO  
EXCEED PAGE LIMITATIONS**

The foregoing Unopposed Motion to Extend Time to Respond to Complainant's Motion for Summary Judgment and for Leave to Exceed Page Limits considered:

The motion is GRANTED, and, accordingly, JAMES LESLIE READING, CLARE L. READING and FOX GROUP TRUST are granted until July 2, 2012, in which to respond to the government's Motion for Summary Judgment (Doc. 52) filed herein, and are granted leave of Court to exceed the seventeen (17) page limitation pursuant to Local Rule 7.2(e).