

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

SPORT & WHEAT CPA PA,
a Florida corporation, individually and
on behalf of a class of similarly situated
businesses and individuals,

Plaintiff,

v.

SERVISFIRST BANK INC.;
SYNOVUS BANK;
THE FIRST, A NATIONAL
BANKING ASSOCIATION; and
TRUIST BANK,

Defendants.

Case No. 3:20-cv-5425-TKW-HTC

**PLAINTIFF SPORT & WHEAT'S
MOTION FOR EXTENSION OF TIME
TO PREPARE AN OMNIBUS RESPONSE**

There are three motions to dismiss now pending against Sport & Wheat, by ServisFirst, Truist, and TheFirst. (ECF Nos. 49, 67, 69.) The due dates are July 8, 17, and 20, respectively. The most recent of these motions was filed just yesterday.

Having now seen them all, it is apparently that these motions largely raise overlapping arguments. Rather than file three more briefs—making for four opposition briefs in total—Sport & Wheat would like to file one omnibus response

brief. This would assist the Court by giving it a coordinated overall response, rather than writing piecemeal.

Sport & Wheat would like to have until July 20—the due date for the most-recently filed of these motions—to respond. This represents an extension of just twelve additional days on the oldest of the motions to dismiss. This motion is not being presented for purposes of delay. An extension would not delay the proceedings in this case at all, in fact, because the Court is unlikely to rule on one of the four pending motions to dismiss before briefing is complete in all of them.

Sport & Wheat would appreciate the Court’s consideration.

Dated: July 7, 2020

Respectfully submitted,

/s/ William F. Cash III

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CERTIFICATE OF COMPLIANCE WITH LOC. R. 7.1(B)

Today, Sport & Wheat sought consent from ServisFirst and Truist. (Consent from TheFirst is not needed because no extension is sought as to its motion.)

Sport & Wheat has sent two e-mails and called both lawyers for ServisFirst and Truist. No response was had and no conference has yet occurred.

Sport & Wheat is filing this motion now because the TheFirst motion was filed just yesterday and the due date for the ServisFirst brief is tomorrow. Also, Sport & Wheat already anticipates ServisFirst will not consent because it previously declined to give Sport & Wheat the full extension it sought.

If either defendant responds, Sport & Wheat will promptly notify the Court.

/s/ William F. Cash III