IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

OTO ANALYTICS, LLC, Plaintiff, v. **BENWORTH CAPITAL PARTNERS PR, LLC; BENWORTH CAPITAL PARTNERS, LLC; BERNARDO NAVARRO and CLAUDIA NAVARRO,** Defendants.	Civil No. 23-01034 (GMM) *cons.* Civil No. 24-01313 (GMM)
FEDERAL RESERVE BANK OF SAN FRANCISCO, Plaintiff-Intervenor, v. **OTO ANALYTICS, LLC; BENWORTH CAPITAL PARTNERS PR, LLC; BENWORTH CAPITAL PARTNERS, LLC; BERNARDO NAVARRO and CLAUDIA NAVARRO,** Defendants in Intervention.	

JOINT MOTION FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE PLEAD TO THE COMPLAINT IN INTERVENTION

TO THE HONORABLE COURT:

COME NOW defendants and consolidated defendants Benworth Capital Partners PR, LLC ("Benworth PR"), Benworth Capital Partners, LLC ("Benworth FL"), and Bernardo and Claudia Navarro ("Mr. and Mrs. Navarro" and, jointly with Benworth PR and Benworth FL, the "Defendants"), through the undersigned counsel, and respectfully **STATE** and **PRAY** as follows:

1. On August 2, 2024, the Federal Reserve Bank of San Francisco ("Intervenor") filed

the Complaint in Intervention. D.E. 146.

2. Thus, pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), the Defendants must file their answers or otherwise plead to the Complaint in Intervention by August 23, 2024.

3. Prior to filing the Complaint in Intervention in the present action, on July 10, 2024, the Intervenor initiated a separate action by filing a Complaint against the same Defendants in the case styled *Federal Reserve Bank of San Francisco v. Benworth Capital Partners LLC et al., Civil No. 24-01313* (the "Reserve Bank Action"). Said Reserve Bank Action was consolidated with the present action (Civil No. 23-01034) by order of this Honorable Court entered on August 20, 2024. *See* D.E. 153, 155.

4. However, prior to consolidation, the parties to the Reserve Bank Action –that is, Intervenor and Defendants—had stipulated that the deadline for all Defendants to answer or otherwise plead to the Complaint in the Reserve Bank Action shall be **October 1, 2024.** *See* Reserve Bank Action at D.E. 15, 21.

5. The allegations raised by Intervenor in its Complaint in Intervention and in its now-consolidated Reserve Bank Action Complaint are substantially similar an intimately related.

6. The Defendants and the undersigned counsel are in the process of investigating the Intervenor's allegations but require an extension of time to complete the same and responsibly prepare a responsive pleading or otherwise respond to the Complaint in Intervention.

7. To that end, the Defendants respectfully request that the Court allow a 38-day extension of time, or until **October 1, 2024**, to file their respective answers or otherwise plead to the Complaint in Intervention, which is the same stipulated deadline by which Defendants would file their responsive pleading to the Reserve Bank Action Complaint.

8. The extension requested herein is sought in good faith, within the original deadline

to respond, and will not cause undue delay in the instant proceedings.

WHEREFORE, Defendants respectfully request that this Honorable Court grant the instant motion and, consequently, allow a 38-day extension of time, or until October 1, 2024, for the Defendants to answer or otherwise plead to the Complaint in Intervention.

CERTIFICATE OF SERVICE: We hereby certify that on this same date the foregoing reply was filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys and participants of record.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on August 22, 2024.

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