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

OTO ANALYTICS, LLC, Plaintiff, v. **BENWORTH CAPITAL PARTNERS PR, LLC; *et al.***, 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, *et al.***, Defendants in Intervention.	
FEDERAL RESERVE BANK OF SAN FRANCISCO, Consolidated Plaintiff, v. **BENWORTH CAPITAL PARTNERS PR, LLC; *et al.***, Consolidated Defendants.	

CONSENTED MOTION TO EXTEND DEADLINES AND ENLARGE PAGE LIMITS FOR THE RESERVE BANK'S OPPOSITION TO MOTION TO DISMISS (ECF NO. 169) AND DEFENDANTS' REPLY BRIEF

TO THE HON. GINA MÉNDEZ MIRÓ
UNITED STATES DISTRICT JUDGE:

COMES NOW the Federal Reserve Bank of San Francisco (the "Reserve Bank"), by and through its undersigned legal counsel, and respectfully states and requests as follows:

1. On July 10, 2024, the Reserve Bank filed its *Complaint* against Benworth Capital Partners PR LLC ("Benworth PR"), Benworth Capital Partners LLC ("Benworth FL"), and individuals Bernardo Navarro and Claudia Navarro (collectively, the "Navarros" and, together with Benworth PR and Benworth FL, the "Defendants"). *See* ECF No. 1 in Civil No. 24-01313.

2. On August 2, 2024, the Reserve Bank filed its *Complaint in Intervention*. *See* ECF No. 146.

3. On October 1, 2024, following consented extensions of time, defendant Benworth FL filed its *Motion to Dismiss the Federal Reserve's Complaint and Complaint in Intervention* ("*Motion to Dismiss*") requesting the dismissal of the Reserve Bank's *Complaint* and *Complaint in Intervention* pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6). *See* ECF No. 169.

4. As a result, Benworth PR and the Navarros filed their *Motion for Joinder to "Benworth FL's Motion to Dismiss the Federal Reserve's Complaint and Complaint in Intervention"* joining Benworth FL's request for dismissal of the Reserve Bank's *Complaint* and *Complaint in Intervention*. *See* ECF No. 170.

5. Pursuant to L. Civ. R. 7(b), the Reserve Bank's deadline to file its opposition to the *Motion to Dismiss* is October 15, 2024. Additionally, L. Civ. R. 7(e) imposes a 15-page limit for opposition briefs.

6. The undersigned counsel for the Reserve Bank informs that it is in the process of analyzing the arguments averred in the *Motion to Dismiss* and will need additional time to complete its analysis and draft an opposition thereto.

7. Consequently, in a spirit of cooperation and mutual interest, the undersigned contacted Defendants' counsel to request that they consent to the Reserve Bank seeking an extension of fourteen (14) days to file its opposition brief and an enlargement in the page limit from fifteen (15) to twenty (20) pages.

8. Defendants consented to the Reserve Bank's request and, in exchange, requested that the Reserve Bank consent to them seeking leave to file a reply, along with an extension of the deadline to reply until November 12, 2024, and an enlargement of the page limit from ten (10) to thirteen (13) pages. The Reserve Bank herein consents to Defendants' requests and submits that the foregoing is fair and will allow them to thoroughly brief the issues pending before the Court.

9. As a result, the Reserve Bank respectfully requests that this Court grant the Reserve Bank until October 29, 2024, to file its opposition to *Defendants' Motion to Dismiss* and, furthermore, allow an enlargement for its opposition brief to twenty (20) pages.

10. The proposed modifications to the deadlines and page limits will not interfere with the Court's calendar or other scheduled proceedings. On the contrary, these adjustments will promote efficiency and clarity in the adjudication of the *Motion to Dismiss*.

11. This motion is made in good faith, with no intention of causing unnecessary delay. Rather, it is aimed at ensuring that the Court receives well-reasoned and fully developed arguments from both sides.

WHEREFORE, the Reserve Bank respectfully requests that this Honorable Court take notice of the foregoing, approve the instant motion and stipulations between the parties, and consequently: (1) allow the stipulated deadline of October 29, 2024, for the Reserve Bank to file its opposition to the *Motion to Dismiss*, with such opposition exceeding the 15-page limit by five (5) pages, and (2) grant Defendants leave to file a reply on or before November 12, 2024, with such reply exceeding the imposed 10-page limit by three (3) pages.

CERTIFICATE OF SERVICE: We hereby certify that on this same date the foregoing motion 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.

Dated: October 4, 2024 Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on October 4, 2024, I filed a copy of the foregoing document using the Court's CM/ECF system, which will automatically generate a Notice of Electronic Filing to all counsel of record in this matter.

s/ Aníbal A. Román Medina
Aníbal A. Román Medina