

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

OTO ANALYTICS, LLC,

Plaintiff,

v.

Civil No. 23-01034 (GMM)

**BENWORTH CAPITAL PARTNERS PR,
LLC; BENWORTH CAPITAL
PARTNERS, LLC; BERNARDO
NAVARRO and CLAUDIA NAVARRO,**

Defendants.

**JOINT MOTION FOR LEAVE TO FILE A REPLY IN SUPPORT OF MOTION TO
QUASH SERVICE OF PROCESS (D.E. 37) AND REQUESTING EXTENSION
OF TIME TO FILE THE JOINT REPLY BRIEF**

TO THE HONORABLE COURT:

COME NOW Codefendants Bernardo and Claudia Navarro (“Mr. and Mrs. Navarro”), by special appearance and without submitting to the jurisdiction or venue of this Honorable Court nor waiving any defense, through the undersigned counsel, and very respectfully submit this motion for leave to file a reply in response to *Plaintiff Womply’s Memorandum of Law in Opposition to Bernardo Navarro and Claudia Navarro’s Motion to Quash* (D.E. 54), and for an extension of time of 10 days to file the reply brief, until May 15, 2023.

1. On April 27, 2023, Plaintiff Womply filed its opposition to Mr. and Mrs. Navarro’s Motion to Quash Service of Process.

2. Pursuant to Local Rule 7(c), Mr. and Mrs. Navarro’s term to seek leave of court and file a reply brief expires on May 4, 2023. Mr. and Mrs. Navarro hereby timely move for leave

Joint Motion for Leave to File a Reply in Support of Motion to Quash Service of Process...

Oto Analytics, LLC v. Benworth Capital Partners PR LLC, et al.

Civil No. 23-01034 (GMM)

Page 2 of 4

to reply and seek an extension of ten (10) days to file a reply brief, until May 15, 2023¹, pursuant to Local Rule 6, for good cause shown.

3. Mr. and Mrs. Navarro must respond to new facts and matters raised in Womply's opposition, including characterizations of the movants' position as to proper service of process on Mr. and Mrs. Navarro that are misleading and require clarification. Most notably, but without limitation, the opposition relies on facts alleged to have taken place after the motion to quash was filed; namely, purported new attempts at serving process in late April of 2023 that were naturally not the object of Mr. and Mrs. Navarro's original motion to quash, which was filed on March 30, 2023 (D.E. 37).

4. Mr. and Mrs. Navarro's requested extension of ten (10) days, until May 15, 2023, to file their proposed reply is necessary due to various pre-scheduled conflicting deadlines in this and other cases that will prevent the undersigned from responsibly completing the required research and drafting of this reply, discuss pertinent background facts with Mr. and Mrs. Navarro, and secure filing approval, should the Court allow leave to file it, by the current deadline of May.

5. We refer the Court to the undersigned's prior motion at D.E. 55, filed on behalf of Benworth Capital Partners LLC and Benworth Capital Partners PR LLC, in which we sought an extension of time to file a reply in connection to those defendants' motion to dismiss, based on these same time constraints and pre-scheduled travel dates. That reply is currently due on May 11, 2023, per the Court's order at D.E. 56. The extension sought here is needed for the undersigned to adequately complete parallel replies, on different subject areas in this case.

¹ The 10-day extension requested herein elapses on May 14, 2023, which is a Sunday, and therefore, is moved to the next business day, May 15, 2023. See, Rule 68.1 of the Puerto Rico Rules of Civil Procedure, PR Laws Ann. Tit. 32 App. V, R. 68.1, and 84; Fed. R. Civ. P. 6(a)(1)(C).

Joint Motion for Leave to File a Reply in Support of Motion to Quash Service of Process...

Oto Analytics, LLC v. Benworth Capital Partners PR LLC, et al.

Civil No. 23-01034 (GMM)

Page 3 of 4

6. The undersigned certify that this request does not have a dilatory intent, and is sought in the interest of justice, to ensure the Court has complete briefing on the matters pending before it.

WHEREFORE, Mr. and Mrs. Navarro respectfully request this Honorable Court to grant them leave to reply in support of their motion at D.E. 37, by no later than May 15, 2023.

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.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 3rd day of May 2023.

[SIGNATURE PAGE FOLLOWS]

Joint Motion for Leave to File a Reply in Support of Motion to Quash Service of Process...

Oto Analytics, LLC v. Benworth Capital Partners PR LLC, et al.

Civil No. 23-01034 (GMM)

Page 4 of 4

Counsel for Bernardo Navarro



PO Box 195168
San Juan, PR 00919-5168
Tel.: 787.766.7000
Fax: 787.766.7001

s/ Roberto A. Cámara-Fuertes

Roberto A. Cámara-Fuertes

USDC-PR 219002

Email: rcamara@ferraiuoli.com

s/ Jaime A. Torrens-Dávila

Jaime A. Torrens-Dávila

USDC-PR 223810

Email: jtorrens@ferraiuoli.com

/s/ Mónica Ramos Benítez

Mónica Ramos-Benítez

USDC-PR 308405

Email: mramos@ferraiuoli.com

Counsel for Claudia Navarro

CASELLAS ALCOVER & BURGOS PSC

PO Box 364924
San Juan, PR 00936-4924
Tel. (787) 756-1400
Fax. (787) 756-1401
rcasellas@cabprlaw.com
cloubriel@cabprlaw.com

/s/ Ricardo F. Casellas

USDC-PR Bar No. 203114

/s/ Carla S. Loubriel Carrión

USDC-PR Bar No. 227509