

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.

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Civil Action No. 23-01034

**MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO DEFENDANTS’
MOTION TO DISMISS AND MOTION TO QUASH SERVICE OF PROCESS**

TO THE HONORABLE COURT:

NOW COMES Plaintiff Oto Analytics, LLC (f/k/a Oto Analytics, Inc., d/b/a Womply), through the undersigned counsel, and respectfully states and requests as follows:

1. On March 27, 2023, Defendant Benworth Capital Partners PR LLC (“**Benworth PR**”) filed a Motion to Dismiss or Stay Proceedings (Dkt. No. 34). Defendant Benworth Capital Partners, LLC filed a Motion for Joinder to Benworth PR’s Motion to Dismiss or Stay Proceedings on March 29, 2023 (Dkt. No. 35). The deadline under D.P.R. Loc. R. 7(b) for filing a response to this motion is April 10, 2023.

2. On March 30, 2023, Defendants Bernardo Navarro and Claudia Navarro filed a Motion to Quash Service (Dkt. No. 37). The deadline under D.P.R. Loc. R. 7(b) for filing a response to this motion is April 13, 2023.

3. Pursuant to Fed. R. Civ. P. 6(b)(1)(A), and in light of religious holidays, including those recognized by this Court on April 6 and 7, Plaintiff requests a 14-day extension to respond to Defendants’ motions. If a 14-day extension is granted, Plaintiff’s deadline to respond to

Defendants' Motion to Dismiss would be April 24, 2023 and Plaintiff's deadline to respond to Defendants' Motion to Quash Service of Process would be April 27, 2023.

4. Whether to grant an extension of time is within the discretion of the district court. *See Quinones-Pimentel v. Cannon*, No. 3:20-cv-01443-JAW, 2021 WL 4056305, at *2–3 (D.P.R. Jan. 22, 2021). This Court regularly grants extensions of time for good cause shown, even in cases where a party moves for an extension of time after a deadline has passed. *See, e.g., Ryan McCurley v. Citigroup Glob. Mkts. Holdings Inc.*, No. 22-1031 (ADC), 2023 WL 2652623, at *2 (D.P.R. Mar. 27, 2023).

5. Defendants' motions raise complex jurisdictional questions involving ripeness and standing in the context of a pending arbitration. The time allowed by the Local Rules is insufficient for Plaintiff to adequately respond to these issues.

6. Plaintiffs have conferred with Defendants, and Defendants do not oppose this Motion for an extension of time.

7. If granted, this extension of time would not cause undue prejudice or delay.

WHEREFORE, Plaintiff respectfully requests that the Honorable Court grant the requested 14-day extension of time to file a response to Defendants' Motion to Dismiss and Motion to Quash Service of Process.

Dated: April 6, 2023

Respectfully submitted,

By: /s/ Alexander L. Cheney

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CERTIFICATE OF SERVICE

The undersigned certifies that on April 6, 2023, the foregoing document was filed with the Clerk of the Court using CM/ECF, which sent notices to all parties receiving notifications through the CM/ECF system.

Dated: April 6, 2023

By: /s/ Alexander L. Cheney

Attorney for Plaintiff Oto Analytics, LLC