

**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 BRIEF EXTENSION OF TIME TO ANSWER OR OTHERWISE
PLEAD AGAINST THE COMPLAINT**

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 request as follows:

1. On August 10, 2023, Mr. and Mrs. Navarro received a copy of the summons published in El Nuevo Día newspaper on July 21, 2023, the Court’s order granting leave for summons by publication, and a redacted version of the Complaint. Per the summons, Mr. and Mrs. Navarro must appear, plead, or answer within thirty (30) days from publication, which period elapses on August 21, 2023.¹

2. To date, Mr. and Mrs. Navarro have been diligently reviewing the allegations of the 69-page Complaint, which contains extensive allegations that require careful consideration to

¹ Plaintiff Oto Analytics, LLC f/k/a Oto Analytics, Inc. d/b/a Womply has not filed the corresponding documents evidencing the service by publication attempted upon Mr. and Mrs. Navarro to show compliance with Fed. R. Civ. P. 4(e)(1) and Puerto Rico Rule of Civil Procedure 4.6 regarding service by publication, as Court ordered (D.E. 77).

Joint Motion for Brief Extension of Time...Oto Analytics, LLC v. Benworth Capital Partners PR LLC, et al.

Civil No. 23-01034 (GMM)

Page 2 of 3

responsibly answer or otherwise plead as special defenses may apply to them that differ from those raised by the corporate defendants, as well as analyzing information and/or documents material to the allegations, and the applicable law. However, despite the efforts to complete this process within the August 21 deadline, Mr. and Mrs. Navarro and the undersigned counsel hereby inform that a brief extension of time is needed to prepare the responsive pleading or dispositive motion and secure filing approval. The undersigned counsel anticipate that such process will be completed in the next two (2) weeks. Moreover, the undersigned counsel for Mr. Navarro are also currently engaged this week in several depositions and trials in various state court cases, which hinder their ability to responsibly work on the responsive pleading or dispositive motion by the current deadline of August 21. Accordingly, to be in position to file an adequate responsive pleading or dispositive motion that complies with the strictures of Fed. R. Civ. P. 11, Mr. and Mrs. Navarro and the undersigned counsel very respectfully request a brief extension of ten (10) days, until August 31, 2023, to plead against the Complaint.

3. This brief extension is sought within the original term to answer or otherwise plead against the Complaint, solely out of necessity, and will not cause unfair prejudice or unduly delay proceedings, since pending before the Court is the corporate defendants' Motion to Dismiss or Stay Proceedings Pending the Outcome of Arbitration (D.E. 34 and 35). More importantly, the extension will allow Mr. and Mrs. Navarro to file a responsive pleading or dispositive motion that will aid the Court in adjudicating this case.

WHEREFORE, Mr. and Mrs. Navarro respectfully request that this Honorable Court grant the instant motion and, consequently, allow a brief extension of ten (10) days, until August 31, 2023, to answer or otherwise plead against the Complaint.

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

Joint Motion for Brief Extension of Time...

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

Civil No. 23-01034 (GMM)

Page 3 of 3

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 16th day of August, 2023.

Ferraiuoli LLC
Looking Forward

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 Bernardo 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

Counsel for Claudia Navarro