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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

BENWORTH CAPITAL PARTNERS LLC,

Petitioner,

v.

OTO ANALYTICS, LLC,

Respondent.

Case No. 3:24-cv-4840-AMO

**ADMINISTRATIVE MOTION FOR
ENLARGEMENT OF TIME TO REPLY TO
OTO ANALYTICS, LLC'S OPPOSITION TO
PETITION TO VACATE FINAL
ARBITRATION AWARD**

Pursuant to Local Rules 6-3, and 7-11, Petitioner, Benworth Capital Partners, LLC ("Benworth"), seeks an enlargement of time to reply to Oto Analytics, LLC's ("Respondent['s]") Opposition to Petition to Vacate Final Arbitration Award (ECF No. 25), and states as follows:

1. Respondent filed its opposition to the Petition to Vacate Final Arbitration Award on August 26, 2024.

2. Petitioner's reply to Respondent's opposition to Petition to Vacate Final Arbitration Award

1 would be due on September 3, 2024.

2 3. Benworth has filed a motion in the related case to consolidate briefing on the vacatur and
3 confirmation proceedings. *See* Administrative Motion for Enlargement of Page Limits Applicable to
4 Respondent's Cross-Motion to Vacate and for Extension of Time to Respond to Petitioner's Motion to
5 Confirm, *Oto Analytics, LLC f/k/a Oto Analytics, Inc. d/b/a Womply v. Benworth Capital Partners, LLC*,
6 Case No.3:24-cv-3975-AMO (N.D. Calif. Aug. 26, 2024) (the "*Confirmation Proceedings*"), ECF No. 46.
7 This Court has not adjudicated that motion as of this filing. *See generally* Docket, *Confirmation*
8 *Proceedings*. As such, and in the event this Court declines to consolidate the proceedings and/or briefing,
9 the undersigned submits this motion for an enlargement of time with respect to its reply in support of its
10 Petition to Vacate in an abundance of caution.

11 4. The undersigned requests additional time to prepare Petitioner's reply. The Undersigned
12 has deadlines in other proceedings that necessitate an enlargement of time to file its reply: Oral Argument
13 in the Supreme Court of North Carolina, *Cato Corporation, et al., v. Zurich American Insurance Company*,
14 Case No. COA23-305; Initial Brief due in the United States Court of Appeals for the Ninth Circuit, *Andrea*
15 *M. Caston, et al., v. Hoffmann-La Roche, Inc., et al.*, Case No. 24-2920, D.C. No. 3:23-cv-00928-TLT; a
16 Reply Brief in *Benes v. de la Aguilera*, No. 3D24-0152 (Fla. 3d DCA), among other deadlines. Robinson
17 Decl. ¶ 2.

18 5. The questions presented related to the Petition to Vacate are not insubstantial matters that
19 may be briefed in seven days. *Id.* Even Respondent Womply took 20 days to submit its response after
20 receipt of the Petition to Vacate, not 14 days. *Compare* ECF No. 1 (Petition to Vacate dated August 7,
21 2024) *with* ECF No. 25 (Womply's response dated August 26, 2024).

22 6. Benworth requests a 30-day enlargement of time to and including October 3, 2024, to
23 submit its reply.

24 7. Because the next hearing in these related matters is not until January 9, 2025, the requested
25 enlargement will not prejudice the parties.

26 8. The undersigned met and conferred with counsel for the Respondent regarding the requested
27 relief. Robinson Decl. at ¶ 5. The Respondent said it objected to the extension because it suspects that this
28 Court could resolve the Petition to Vacate on the papers before the January 2025 hearing date. *Id.*

1 **WHEREFORE**, Petitioner, Benworth Capital Partners, LLC respectfully requests an
2 enlargement of time, to and including October 3, 2024, to serve its reply to Respondent's Opposition to
3 Petition to Vacate Final Arbitration Award.

4
5 Dated: August 29, 2024

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LLC*

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

Dated: August 29, 2024

/s/ Simon S. Grille
Simon S. Grille