

No. 13-3388

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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R.J. ZAYED, in His Capacity As Court-Appointed Receiver,  
*Plaintiff - Appellant*

v.

ASSOCIATED BANK, N.A.,  
*Defendant - Appellee.*

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On Appeal from an Order of the  
United States District Court for the District of Minnesota  
Docket No. 0:13-cv-00232-DSD  
The Honorable David S. Doty

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**DEFENDANT-APPELLEE'S MOTION  
FOR EXTENSION OF TIME TO FILE BRIEF**

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January 7, 2014

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**DEFENDANT-APPELLEE'S MOTION  
FOR EXTENSION OF TIME TO FILE BRIEF**

Defendant-Appellee Associated Bank, N.A., hereby moves for a 30-day extension of time to file an answering brief in this appeal. In support of this motion, Associated Bank states as follows:

1. Plaintiff-Appellant R.J. Zayed filed his opening brief on December 20, 2013. Associated Bank's answering brief, accordingly, is due on January 21, 2014.

2. A 30-day extension would render Associated Bank's brief due on February 20, 2014.

3. Counsel for plaintiff R.J. Zayed, Robert Greenspoon, consents to this extension request.

4. This extension request is reasonable and not intended to delay the proceedings. This is Associated Bank's first request for an extension.

5. Because plaintiff's opening brief was filed on December 20, the time for preparing Associated Bank's brief coincided with the Christmas and New Year holidays. In light of family obligations and planned vacations, undersigned counsel worked reduced schedules during this period.

6. In addition, undersigned counsel have several proximate deadlines, which render the filing of this brief within the initial period allotted particularly burdensome. These other deadlines include:

- a. December 30, 2013: *Amicus* brief filed in *Harris v. Quinn*, No. 11-681 (S. Ct.);
- b. January 2, 2014: *Amicus* brief filed in *McLane Southern, Inc. v. Cynthia Bridges*, No. 13-657 (S. Ct.);
- c. January 9, 2014: Appellee's brief due in *Retirement Board of the Policemen's Annuity & Benefit Fund of the City of Chicago v. Bank of NY Mellon*, No. 13-1776 (2d Cir.);
- d. January 15, 2014: Oral argument in *United States v. Castleman*, No. 12-371 (S. Ct.);
- e. January 16, 2014: Oral argument in *Deemer v. Beard*, No. 13-1986 (3d Cir.);
- f. January 24, 2014: *Amicus* brief due in *Highmark Inc. v. Allcare Health Management Systems, Inc.*, No. 12-1163 (S. Ct.);
- g. January 27, 2014: Brief in opposition due in *Arizona v. Okun*, No. 13-436 (S. Ct.) (on a 30-day extension).

## CONCLUSION

Defendant-Appellee Associated Bank respectfully requests that the Court grant a 30-day extension to and including February 20, 2014, for the filing of its answering brief.

Respectfully submitted,

s/ Paul W. Hughes  
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DATE: January 7, 2014

**CERTIFICATE OF SERVICE**

I certify that on this 7th day of January 2014, I served the foregoing Defendant-Appellee's Motion for Extension of Time via the Court's ECF system upon Counsel for Plaintiff-Appellant.

*s/ Paul W. Hughes*

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Paul W. Hughes