

FILED
IN CLERKS OFFICE

UNITED STATES DISTRICT COURT 2008 JAN -7 P 2:15
EASTERN DISTRICT OF MASSACHUSETTS
BOSTON DIVISION

SONY UMG MUSIC
ENTERTAINMENT,
ET AL,

CASE NUMBER: ~~07-CV-11446~~

Plaintiffs,

Lead # 03cv11661NG

v

JOEL TENENBAUM,

Defendant.

DEFENDANT JOEL TENENBAUM'S
RESPONSE TO PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANT'S MOTION TO AMEND COMPLAINT, MOTION FOR SUMMARY
JUDGMENT, AND MOTION TO DISMISS

NOW COMES Defendant JOEL TENENBAUM, appearing PRO SE, and respectfully moves for an entry of an order denying Plaintiffs' Motion for Extension of Time to Respond to Defendants' Motion to Amend Complaint, Motion for Summary Judgment, and Motion to Dismiss.

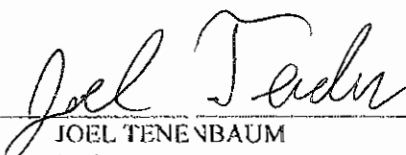
As grounds therefore, Defendant asserts that Federal Rules of Civil Procedure Rule 6-(b) state that the Court "...may at any time in its discretion (1) with or without motion...order the period enlarged if request is made before the expiration of the period originally prescribed". However, the Plaintiffs in this case did not request an enlargement of the period prior to the expiration of the period originally prescribed. In that case, the Federal Rules of Civil Procedure 6(b)(2) state that the time may only be enlarged "upon motion made after the expiration of the specified period.....where the failure to act was the result of excusable neglect." Defendant Joel Tenenbaum would respectfully state that the Thanksgiving Holiday referred to in Plaintiffs' motion had already passed prior to the date on which Plaintiffs received Defendant's three Motions and related papers. Further, Defendant Joel Tenenbaum does not believe that

the Christmas holidays referred to in Plaintiffs' Motion are within the statutory intent of Federal Rules of Civil Procedure Rule 6(b)(2) "excusable neglect".

WHEREFORE, Defendant respectfully requests that Plaintiffs' Motion for an Extension of Time to file a Response to Defendant's Motion to Amend Complaint, Motion for Summary Judgment and Motion to Dismiss be denied, and for such other and further relief as to which he is entitled.

Dated: December 19, 2007

Respectfully submitted,

By: 
JOEL TENENBAUM
PRO SE
1666 Commonwealth Avenue
Brighton, Massachusetts 02135

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been mailed to all Attorneys of record on this 19th day of December, addressed as follows:

JOHN R. BAUER
Robinson & Cole, LLP
One Boston Place
Boston, MA 02108


JOEL TENENBAUM