

FILED
U.S. DISTRICT COURT

2007 JAN 16 P 2: 51

DISTRICT OF UTAH

BY: _____
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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

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GMG CAPITAL INVESTMENTS, LLC, a :
Delaware Limited Liability Company, :

Plaintiff, :

vs. :

MARK ROBBINS, an individual, **ED** :
DAVIES, an individual, **STEPHEN NORRIS**, :
an individual and **PENINSULA ADVISORS**, :
LLC, a Delaware Limited Liability Company, :

Defendants :

MOTION FOR AN ENLARGEMENT
OF TIME TO REPLY TO DEFENDANTS
MOTION TO DISMISS

Case No. 2:06CV876 TC

Judge: Campbell

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COMES Plaintiff GMG Capital Partners, LP ("GMG"), by and through its undersigned attorney and does hereby file this Motion for an Enlargement of Time to Reply to Defendants Motion to Dismiss.

This Motion is filed pursuant to Rule 6(b) of the Federal Rules of Civil Procedure which states:

Rule 6 (b) Enlargement. When by these rules or by a notice given thereunder or by order

of the court an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order or (2) upon motion made after the expiration of the specified period permit the act to be done where the failure to act was the result of excusable neglect; but it may not extend the time for taking any action under Rules 50(b), 52(b), 59(b), (d) and (e), and 60(b), except to the extent and under the conditions stated in them.

Counsel for Plaintiff has been unable to dedicate sufficient time to properly reply to the issues raised in Defendants Motion to Dismiss prior to the expiration of the response period. Shortly after receiving the Motion to Dismiss, counsel for Plaintiff was required to travel out of state to Nevada to attend to business matters which was followed by a pre-scheduled vacation which ended over the Martin Luther King holiday.

This motion for enlargement is timely filed prior to the expiration of the period prescribed for Plaintiffs Reply and as Plaintiff permitted Defendants a courtesy extension for their response to the Amended Complaint, no prejudice can be argued by any party as a result of granting this Motion. Accordingly, Counsel requests that the time permitted to reply to Defendants Motion To Dismiss be enlarged to Friday the 26th day of January, 2007.

This Motion has been filed along with the Plaintiff's proposed Order.

DATED this 15th day of January, 2007.

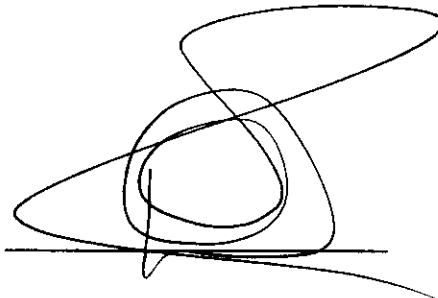


DAVID G. TURCOTTE
Counsel for Plaintiff

CERTIFICATE OF DELIVERY

I Certify that I caused to be mailed a true and correct copy of the foregoing Motion for An
Enlargement of Time to Respond to Defendants Motion to Dismiss and Proposed Order to be
mailed on this 16th day of January, 2007 to the Defendants via counsel as follows:

David W. Tufts
Durham Jones & Pinegar
111 East Broadway
Suite #900
Salt Lake City, Utah 84111

A handwritten signature in black ink, appearing to be "David W. Tufts", written over a horizontal line. The signature is stylized and somewhat abstract, with several loops and a long horizontal stroke at the end.