IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No.: 1:22-cv-02142-NYW-STV

CRUSOE ENERGY SYSTEMS LLC, a Delaware limited liability company,

Plaintiff,

v.

ALKANE MIDSTREAM LLC, a Delaware limited liability company,

Defendant.

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**UNOPPOSED MOTION TO EXTEND DEADLINE TO RESPOND TO MOTION TO DISMISS**

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Defendant and Counterclaimant Alkane Midstream LLC ("Alkane") moves the Court for an order extending its deadline to respond to the motion to dismiss, ECF No. 76, filed by Plaintiff and Counterclaim Defendant Crusoe Energy Systems LLC ("Crusoe"), by two weeks, making Alkane's new deadline January 4, 2023. In support of the motion, Alkane states:

1. Alkane has conferred with Crusoe, and Crusoe does not oppose this motion.

2. On November 9, 2022, Alkane filed its answer and counterclaims to Crusoe's Second Amended Complaint. *See* ECF No. 74. On November 30, 2022, Crusoe filed a partial motion to dismiss two of Alkane's six counterclaims. *See* ECF No. 76. Alkane's current deadline to respond to the motion is December 21, 2022.

3. Alkane seeks a two-week extension of this deadline, making its new deadline January 4, 2023.

4. There is good cause for this extension. First, while Alkane has been preparing its response to Crusoe's motion to dismiss, Alkane has been briefing its own motion to dismiss Crusoe's Second Amended Complaint. Specifically, Alkane filed its reply in support of its motion to dismiss on December 14, 2022. *See* ECF No. 81. Second, Alkane's counsel has had previously-scheduled engagements in other matters, including depositions on December 15 and 20, 2022 and a mediation on December 16, 2022, that have interfered with preparing Alkane's response. Third, holiday travel schedules will impact Alkane's ability to adequately prepare and review its response by the current deadline.

5. In light of these impediments, Alkane seeks two additional weeks to respond to the motion. As noted above, Crusoe is not opposed. Further, this extension will not interfere with case deadlines, as the parties have not yet held a scheduling conference.

6. Therefore, Alkane respectfully requests the Court grant this motion and extend Alkane's deadline to respond to Crusoe's motion to dismiss by two weeks, making the new deadline January 4, 2023.

Respectfully submitted this 16th day of December, 2022.

s/ *Ryan M. Sugden*
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**CERTIFICATE OF SERVICE**

Pursuant to D.C.COLO.LCivR 6.1(c) and Civ. Practice Standard 6.1A(c), the foregoing Motion is being served on all counsel of record via ECF filing and is being served on Alkane via its general counsel, Tom Cuthbert.

s/ Ryan M. Sugden