UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

Case No.: 9:10 CV 80454-KAM

JACK T. KRAUSER, D.M.D.,
an individual,

Plaintiff,

v.

BIOHORIZONS, INC., a Delaware Corporation, BIOLOK INTERNATIONAL, INC., a Delaware corporation and BIOHORIZONS IMPLANT SYSTEMS, INC., a Delaware corporation,

Defendants.

DEFENDANTS' SECOND MOTION FOR ENLARGEMENT OF TIME

Defendants, Biohorizons, Inc., Biolok International, Inc. and Biohorizons Implant Systems, move this court, pursuant to Rule 6(b)(1)(A), Federal Rules of Civil Procedure, for an order enlarging their time to file a responsive pleading to the Amended Complaint filed in this action, and in support thereof, state as follows:

1. This action was initially filed in Circuit Court, Palm Beach County, Florida, and served upon Defendants on March 8, 2010.

2. This action was removed to this Court on April 1, 2010.

3. On April 2, 2010, this Court granted Defendants a 25-day extension of time until April 30, 2010 to file a response to the Amended Complaint.

4. Defendants seek a further two-week enlargement of time to and including May 14, 2010 to file their response. This is a second request for an extension.

5. Due to the fact that the Amended Complaint involves events that occurred more than 20 years ago and refers to documents not attached to the Complaint which are not readily available to the Defendants, Defendants seek additional time needed to acquire relevant

information concerning the underlying facts in order to prepare an appropriate response to the amended complaint.

6. Defendants believe that a cumulative enlargement of time of 39 days should not prejudice Plaintiff.

7. This motion is made in good faith and not for the purpose of delay.

CERTIFICATE OF GOOD FAITH CONFERENCE

I hereby certify that Timur E. Slonim from the Mintz Levin Law Firm, for whose limited appearance *pro hac vice* motion I will file shortly, has consulted with Plaintiff's counsel regarding the requested relief. Plaintiff's counsel objects to this motion.

WHEREFORE, Defendants request that this Court enter an order enlarging Defendants' time to respond to the Amended Complaint to and including May 14, 2010.

Respectfully submitted,

By: /s/ Gary A. Woodfield
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Counsel for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 29, 2010, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: /s/ Gary A. Woodfield
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SERVICE LIST

Jack T. Krauser v. Biohorizons, Inc., et al.

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United States District Court, Southern District of Florida

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