

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

IN THE UNITED STATES EASTERN DISTRICT COURT JUL 07 2004
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

JAMES W. McCORMACK, CLERK
By: _____
DEP. CLERK

MICHAEL GALSTER

PLAINTIFF

VS.

NO. 4:03 CV01013 GTE

KELLY DUDA

DEFENDANT

MOTION FOR EXTENSION OF DISCOVERY DEADLINE

Comes the Defendant, Kelly Duda, by and through his attorneys, David O. Bowden and Steven R. Smith, and for his motion states:

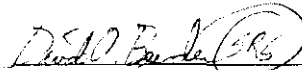
1. This matter is currently set for trial on September 20, 2004.
2. The discovery deadline set forth in the Court's scheduling order is July 8, 2004.
3. Since the last proceedings before the Court, Defendant's counsel have amicably severed their partnership and, although they continue to collaborate on this case, no longer work together on a daily basis.
4. Defendant would like an additional period of time to depose Plaintiff and one other potential witness on specific issues not already addressed during proceedings before the court. Defendant believes these depositions would likely take no more than two hours each.
5. Defendant's counsel have contacted counsel for the plaintiff regarding these depositions and an extension of time to conduct them and he has no objection.
6. Defendant reasonably believes, barring scheduling conflicts, that the depositions could be conducted within the next 21 days.
7. The requested extension would not prejudice the non-moving party nor would it

delay the trial of this matter.

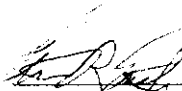
8. This motion is not made for purposes of delay or for any other improper purpose.

WHEREFORE, Defendant prays the discovery period be extended 21 days past its current deadline or for whatever period the Court deems reasonable.

Respectfully Submitted,



David O. Bowden, ABN #89119
P.O. Box 193101
Little Rock, AR 72219
(501) 374-3758



Steven R. Smith, ABN # 91177
16719 Cantrell Road
Little Rock, AR 72223
(501) 907-9000

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following person(s) via U.S. Mail postage prepaid on this 7th day of July, 2004.

Joseph Woodson
400 W. Capitol, Suite 2990
Little Rock, AR 72201

