

DUKE, HOLZMAN, PHOTIADIS & GRESENS LLP

ATTORNEYS AT LAW
350 MAIN STREET
SUITE 1800
BUFFALO, NEW YORK 14202-3718

716-855-1111

FACSIMILE 716-855-0327
NOT FOR SERVICE OF PAPERS

EMANUEL DUKE
(1916-1999)

EDWIN P. YAEGER
(1934-1992)

* Also Admitted in PA
** Also Admitted in FL
*** Also Admitted in TX
+ Also Admitted in MA
++ Also Admitted in CA

DONALD J. HOLZMAN
GREGORY P. PHOTIADIS
JAMES W. GRESENS
PETER G. RUPPAR***
WILLIAM D. SCHULZ
MICHAEL J. LOMBARDO*
HOWARD E. BERGER
DENNIS P. CLEARY
GARY M. KANALEY**
ROBERT L. BENCINI
PATRICIA GILLEN
CHARLES C. RITTER, JR.
MATTHEW J. BECK
BARBARA B. STRZEMSKI-HAASE
ELIZABETH A. KRAENGEL +
THERESA A. DREW
JENNIFER R. SCHARF ++
ANDREW J. STIMSON

December 20, 2011

Via Fax @ (716)551-1835

Hon. John T. Curtin
U.S. Courthouse
2 Niagara Square
Buffalo, New York 14202

Re: **Hoyle v. Dimond et al. - 08-CV-347C**

Dear Judge Curtin:

I write to request an extension of the current scheduling Order regarding the filing of summary judgment motions.

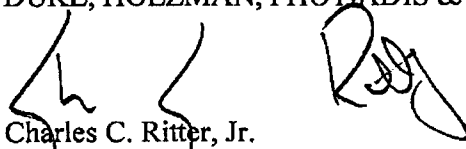
The current Order (Docket No. 85) provides for summary judgment motions to be filed on or before December 21, 2011. I have conferred with opposing counsel and we are in agreement with the request that this deadline be extended until Friday, January 6, 2011 with corresponding changes to the response and reply dates such that the scheduling would provide as follows:

Motions filed by January 6, 2012

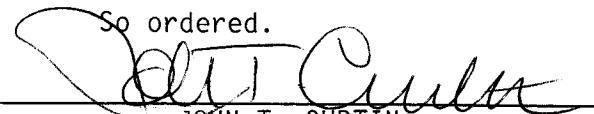
This extension is requested based on the complexity of the issues to be addressed in the to-be-filed motions as well as scheduling conflicts at defense counsel's office.

Respectfully submitted,

DUKE, HOLZMAN, PHOTIADIS & GRESENS LLP


Charles C. Ritter, Jr.

cc: K. Wade Eaton, Esq. (via fax)
Elizabeth Kraengel, Esq.

So ordered.

JOHN T. CURTIN
United States District Judge

Dated: December 20 2011