

DUKE, HOLZMAN, PHOTIADIS & GRESENS LLP

ATTORNEYS AT LAW

350 MAIN STREET

SUITE 1800

BUFFALO, NEW YORK 14202-3718

716-855-1111

NOT FOR SERVICE OF PAPERS

EMANUEL DUKE
(1916-1999)

EDWIN P. YAEGER
(1934-1992)

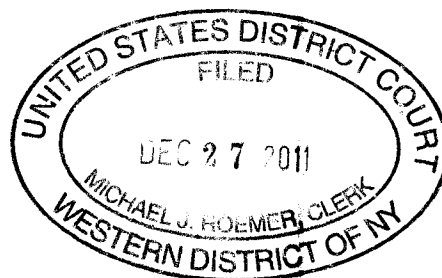
+ Also Admitted in MA
++ Also Admitted in CA

DONALD J. HOLZMAN
GREGORY P. PHOTIADIS
JAMES W. GRESENS
PETER G. RUPPAR***
WILLIAM D. SCHULZ
MICHAEL J. LOMBARDO*
HOWARD E. BERGER
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.

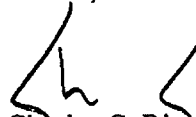
The current Order (Docket No. 85) provides for summary judgment motions to be filed on or before December 21, 2011. I have conferred with opposing counsel and we are in agreement with the request that this deadline be extended until Friday, January 6, 2011 with corresponding changes to the response and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

- Motions filed by January 6, 2012
- Responses by February 8, 2012
- Replies, if any, by February 22, 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.