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Attorney for Defendant

U. S. COURTS

JUN 17 2004

REC'D _____ FILED _____
CAMERON S. BURKE
CLERK IDAHO

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

RECUPEROS, LLC, an Idaho limited liability company,)
)
Plaintiff,)
)
vs.)
)
AMERICAN FOOD STORES, LLC, a California limited liability company,)
)
Defendant.)
_____)

Civil No. 04-229-S-BLW

ORDER FOR ENLARGEMENT OF TIME WITHIN WHICH TO FILE ANSWER AND COUNTERCLAIM

Counsel for the Defendant, American Food Stores, LLC, having come before the Court on the Defendant's motion under Federal Rule of Civil Procedure 6(b) for enlargement of time within which to file an Answer and Counterclaim in this case until Friday, July 9, 2004; the said Motion having been made within the time period otherwise available to counsel to file an Answer and Counterclaim; the Plaintiff having opposed granting such motion on the grounds

ORDER FOR ENLARGEMENT OF TIME WITHIN WHICH TO FILE ANSWER AND COUNTERCLAIM -- Page 1

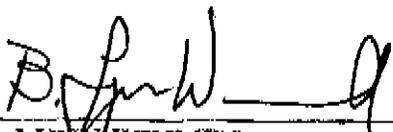
that a member of the Defendant LLC had filed Lis Pendens against real property of the Plaintiff located in Colorado, but such reason having no relationship to the granting of the requested enlargement; and ~~good cause appearing, therefore,~~ *ALTHOUGH THE DELAY APPEARS DUE IN PART TO ACTIONS OF*

PERSONS ASSOCIATED WITH DEFENDANT, THE COURT FINDS GOOD CAUSE TO GRANT THE EXTENSION.

IT IS HEREBY ORDERED that the Defendant is granted an enlargement of time until Friday, July 9TH, 2004, within which to file with the Clerk of this Court an Answer and

Counterclaim or other responsive pleading. *THE COURT WILL EXAMINE CLOSELY FUTURE REQUESTS FOR EXTENSION FROM DEFENDANT.*

DATED this 16th day of June, 2004.



B. LYNN WINMILL
Chief District Judge

ORDER FOR ENLARGEMENT OF TIME WITHIN WHICH TO FILE ANSWER AND
COUNTERCLAIM -- Page 2

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FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
947	MEMORY TX	912083454461	OK	P. 4/4

REASON FOR ERROR

E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION

United States

District and Bankruptcy Court for the District of Idaho



FACSIMILE TRANSMITTAL SHEET

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 & U.S. Courthouse
 550 West Fort Street, 6th Floor
 Boise, Idaho 83724
 Phone (208) 334-9145
 Pocotello 428-4112

DATE:

6/17/04

TO:

Wade Curtis (345-4461) Jason Murray (385-5384)

FROM:

B. Lynn Winmill, Chief District Judge

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
948	MEMORY TX	912083855384	OK	P. 3/3

REASON FOR ERROR
 E-1) HANG UP OR LINE FAIL
 E-2) BUSY
 E-3) NO ANSWER
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