

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

AF HOLDINGS, LLC,

Civil Action No. 2:12-CV-00262-WCO

Plaintiff,

v.

RAJESH PATEL,

Defendant.

**AFFIRMATION IN OPPOSITION TO DEFENDANT'S EMERGENCY
MOTION TO EXTEND THE DISCOVERY DEADLINE**

Defendant filed an emergency motion to extend the discovery deadline (ECF No. 47). The plaintiff by its attorney hereby opposes the motion as follows.

1. The defendant has already served the plaintiff with a) one set of Defendant's First Revised Request for Admissions (without ever serving the original request) containing 100 questions b) one set of Defendant's Second Request for Admissions containing 53 questions; c) one set of Defendant's First Request for Interrogatories; d) one set of Defendant's Second Request for Interrogatories; e) one set of Defendant's Request for Production of Documents and f) Defendant's Second Request for Production of Documents. Defendant should not be entitled to any further discovery request or extension.

2. The sets of Request for Admissions served demonstrate that the defendant is not seeking discovery but is merely seeking to have the plaintiff authenticate 153 irrelevant documents. However, such a task is one belonging to the clerk of court and not plaintiff. As such, any further request for discovery or extension

thereof would serve merely as a mechanism for further attempts at authentication.

3. LR 7.2 states “ The motion shall set forth in detail the necessity for such expedited procedure”. Here, no valid reason has been given as to why defendant’s additional discovery demands could not have been served on July 31, 2013.

Conclusion

WHEREFORE, the plaintiff respectfully request that the Court denies Defendant’s motion.

Respectfully Submitted,

AF Holdings LLC,

DATED: July 31, 2013

By: /s/ Jacques Nazaire
Jacques Nazaire
(Bar No. 142388)
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Suite 300
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Attorney for Plaintiff
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

AF HOLDINGS, LLC	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No.
	:	2:12-cv-00262-WCO
RAJESH PATEL,	:	
	:	
Defendant.	:	

Local Rule 7.1(D) Certification

I hereby certify that Plaintiff's Opposition to Defendant's Emergency Motion complies with LR 5.1B.

Dated: July 31, 2013

Respectfully Submitted:

 /s/ Jacques Nazaire

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	:	
Defendant.	:	

Certificate of Service

I hereby certify that on July 31, 2013, I filed the Plaintiff's Opposition to Defendant's Emergency Motion for with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification to the following attorney(s) of record:

Blair Chintella

Dated: July 31, 2013:

Respectfully Submitted:

/s/ Jacques Nazaire
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