

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA**

MALIBU MEDIA, LLC,

Plaintiff,

v.

CURT VANDENHEUVEL,

Defendant.

CASE NO. 3:13-cv-01579-PDB

PLAINTIFF'S MOTION TO CONTINUE AND POSTPONE MEDIATION

Undersigned counsel, on behalf of Plaintiff Malibu Media, LLC ("Plaintiff"), files this Motion pursuant to Fed. R. Civ. P. 6 and M.D. L. R. 3.09 to request a continuance of tomorrow's mediation, and states:

1. Mediation is scheduled for tomorrow. Plaintiff timely submitted its mediation statement.
2. Unfortunately, in the interim, Plaintiff has failed substantially to fulfill its obligations to undersigned regarding undersigned's services and Plaintiff has recently rendered undersigned's representation unreasonably difficult.
3. Based on these circumstances, undersigned filed a motion requesting authorization to withdraw, and asking the Court to grant Plaintiff sixty (60) days to retain substitute counsel. *See* CM/ECF 124.
4. In light of the foregoing, undersigned files this Motion to request a rescheduling of tomorrow's mediation pending adjudication of Plaintiff's motion to withdraw and so that Plaintiff has an adequate opportunity to retain substitute counsel.

WHEREFORE, undersigned requests that the Court enter an order continuing

tomorrow's mediation.

Respectfully submitted,

LIPSCOMB EISENBERG & BAKER, PL

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Attorneys for Plaintiff

CERTIFICATE OF GOOD FAITH CONFERRAL

I hereby certify that I conferred with Defense Counsel in a good faith effort to resolve the issues raised in this Motion. Defense Counsel opposes Plaintiff's requested relief.

By: /s/ Daniel C. Shatz

CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2016, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Daniel C. Shatz