

FILED

FEB 13 2012

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
LAFAYETTE DIVISION

AT \_\_\_\_\_  
ROBERT N. TRGOVICH, CLERK  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA

TRUSTEES OF THE INDIANA STATE )  
COUNCIL OF ROOFERS HEALTH AND )  
WELFARE FUND, )

Plaintiff, )

CASE NO. 4:12-cv-0002-RLM-APR

vs. )

ASI LIMITED, )

Defendant, )

**MOTION FOR ENLARGEMENT OF TIME TO  
RESPOND TO PLAINTIFF'S COMPLAINT**

ASI Limited (the "Defendant"), by counsel, William J. Tucker ("Counsel") for the above entitled Motion hereby respectfully requests the Court grant an enlargement of time in which to respond to Trustees of the Indiana State Council of Roofers Health and Welfare Fund ("Plaintiff") Complaint, as filed in the above-captioned matter, and states as follows:

1. On January 24, 2012, Plaintiff filed its Complaint against the Defendant.
2. On or about January 24, 2012, Defendant was served with Summons and a copy of the Complaint and Defendant's response to is due on or about February 13, 2012.
3. This is the first extension of time requested by the Defendant.
4. The time within which to file this enlargement has not passed and this request for an enlargement is timely.
5. Contemporaneous with this Motion, Counsel has filed his Appearance, herein.
6. Counsel has only been recently retained and requires additional time in which to confer with Defendant in order to respond to the Complaint.

7. Counsel has attempted to contact Plaintiff's attorney, Charles Berger, and left a voice message regarding this request. Counsel has received no response from Plaintiff's attorney.

8. This Motion is not made for the purpose of delay.

**REQUEST FOR RELIEF**

The Defendant respectfully requests an enlargement of time of thirty (30) days, to and including March 14, 2012, within which to respond to the Plaintiff's Complaint, and for all other proper relief in the premises.

Respectfully submitted,

TUCKER | HESTER, LLC



William J. Tucker

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon the following by electronic filing service or United States Mail, first class postage prepaid, this 10<sup>th</sup> day of February 2012.

Charles L. Berger  
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William J. Tucker

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