

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CASE NO.: 8:20-cv-00394-MSS-SPF

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

KINETIC INVESTMENT GROUP, LLC et al.,

Defendants and Relief Defendants.

**DEFENDANT’S UNOPPOSED MOTION TO EXCEED THE PAGE
LIMIT SET FORTH IN LOCAL RULE 3.01(a)**

Defendant MICHAEL SCOTT WILLIAMS (“Defendant”), pursuant to Local Rule 3.01(a) and the Court’s Case Management and Scheduling Order (“Order”) [D.E. 88], respectfully moves for leave to file its response to Plaintiff’s Motion for Summary Judgment (“Motion”) [D.E. 200] in excess of 20 pages and states:

1. Defendant’s response to Plaintiff’s Motion is due on Monday, April 12, 2021 [D.E. 88]
2. Local Rule 3.01(a) and the Order impose a 20-page maximum for legal memoranda (with citation of authorities and specific identification of the

material facts for which there exists a genuine issue) submitted in response to motions for summary judgment. [D.E. 88 at § II.H.1]

3. Defendant anticipates filing a response to Plaintiff's Motion that is expected to be up to 35 pages in length.

4. Plaintiff previously requested and was granted leave to file a 40-page motion for summary judgment. [D.E. 198]

5. In its Motion, Plaintiff enumerates 134 purported undisputed material facts concerning one individual and at least seven corporate entities over a five-year period.

6. Defendant contends that 108 of Plaintiff's material facts are unsupported by the evidenced and/or contradicted by other evidence and, therefore, are subject to genuine dispute. Defendant is required to identify and address each of these disputed material facts in its response.

7. In addition, based on its 134 material facts, Plaintiff cites extensive case law in support numerous arguments concerning 15 different causes of action involving sometimes similar and sometimes different overlapping elements, which Defendant must untangle and address.

WHEREFORE, Defendant respectfully requests leave to file its response to Plaintiff's Motion for Summary Judgment up to 35 pages in length.

**LOCAL RULE 3.01(g) CERTIFICATE OF GOOD FAITH
CONFERENCE**

I HEREBY CERTIFY that, in accordance with Middle District Local Rule 3.01(g), the undersigned has conferred with counsel for the Plaintiff and the Receiver both of whom do not oppose the relief requested.

Respectfully Submitted,

By: /s/ Timothy W. Schulz
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Co-Trial Counsel for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 8, 2021, the foregoing document was filed with the Clerk of the Court using the CM/ECF system and served on all counsel of record.

By: /s/ Timothy W. Schulz

By: /s/ Jon A. Jacobson