

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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GLEN HARNISH, DANIEL DURGIN		)	
and CRAIG MOSKOWITZ, on behalf of		)	
themselves and all others similarly situated,		)	
		)	
	Plaintiffs,	)	
		)	Civil Action No.: 1:14-cv-14075-RWZ
vs.		)	
		)	
THE HOME DEPOT, INC.,		)	
		)	
	Defendant.	)	
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**UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 6, 8 and 12, Defendant The Home Depot, Inc. (“Defendant”) respectfully moves for an extension of time from December 3, 2014 to December 19, 2014, to file its response to the complaint in this action. Plaintiffs do not oppose the relief sought by this Motion.

As grounds for this Unopposed Motion, Defendant states that there is a motion for transfer and consolidation under 28 U.S.C. § 1407 that is currently pending before the Judicial Panel on Multi-District Litigation. The MDL Panel has scheduled a hearing on the transfer motion for December 4, 2014, and Defendant expects the MDL Panel to grant the request for consolidation and transfer and establish an MDL for the putative class actions against Defendant.

As further grounds, on November 24, 2014, Defendant filed an Unopposed Motion to Stay these proceedings pending resolution of the MDL transfer and consolidation motions [Doc. 8]. Defendant files the within Unopposed Motion for Extension in the alternative to the Unopposed Motion to Stay.

**WHEREFORE**, Defendant The Home Depot, Inc. respectfully requests that this Court:

- A. Allow this Unopposed Motion for Extension of Time to Respond to Complaint;  
and
- B. Grant such other and further relief as the Court deems just and appropriate.

Respectfully submitted,

Defendant

THE HOME DEPOT, INC.

By her attorneys,

/s/ C. Elizabeth Brady Murillo

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Dated: November 25, 2014

**LOCAL RULE 7.1 CERTIFICATION**

I hereby certify that Robert D. Friedman conferred with David Pastor, counsel for the Plaintiffs, about matters related to this motion via electronic mail on November 24, 2014. Counsel for the Plaintiffs stated that he does not oppose this motion.

/s/ C. Elizabeth Brady Murillo

C. Elizabeth Brady Murillo (BBO #661397)

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent to those indicated as non registered participants on November 25, 2014.

/s/ C. Elizabeth Brady Murillo  
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