

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

JEFFREY L. POMBERT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.
	)	1:15-cv-00723-TWT
GLOCK, INC., et al,	)	
	)	<b>JURY TRIAL DEMANDED</b>
Defendants.	)	

**STIPULATED MOTION TO EXTEND DEFENDANTS' TIME TO  
ANSWER OR MOVE IN RESPONSE TO THE COMPLAINT AND TO  
DEFER THE PARTIES' RULE 26 OBLIGATIONS**

Pursuant to Fed. R. Civ. P. 6(b)(1)(A), Plaintiff Jeffery L. Pombert and defendants Glock, Inc., Consultinvest, Inc., Robert T. Core, James M. Deichert, and John F. Renzulli respectfully move the Court to extend the defendants' time to answer or file a motion in response to the Complaint. These parties have also stipulated and agreed to seek the Court's permission to defer any Rule 26 obligations until after the Court rules on the defendants' anticipated motion to dismiss pursuant to Fed. R. Civ. P. 26(a)(1)(C) and 26(f)(1). In support of their joint request, the parties show the Court as follows:

1. Plaintiff Jeffery Pombert commenced the above-captioned action (the "Action") on March 11, 2015 by filing a complaint captioned *Pombert v.*

*Glock, Inc., et al.*, Case No. 1:15-cv-00723-TWT, in this Court. The Complaint alleges that the defendants conspired to maliciously prosecute Mr. Pombert in violation of 42 U.S.C. § 1983 and the Georgia RICO statute.

2. At the time of this motion, the plaintiff had served all of the defendants except Mr. Core. Pursuant to Rule 12, the served defendants' deadline to answer or move to dismiss the Complaint is April 6, 2015. In connection with this motion, Mr. Core's counsel has agreed to accept service of the Summons and Complaint.

3. The parties have agreed and hereby request that the Court extend the deadline for each of the defendants to answer or move in response to the Complaint to May 21, 2015, which represents a 45-day extension of the current deadline.

4. In light of the defendants' intention to file motions to dismiss the Complaint, the parties also respectfully request that the Court defer their Rule 26 obligations until the Court rules upon those motions. As noted above, the Complaint alleges that the defendants conspired to violate both 42 U.S.C. § 1983 and the Georgia RICO statute. Completing initial disclosures or the preliminary planning conference, therefore, will impose significant burdens on the parties. All

of the parties before the Court seek to avoid those burdens unless and until the Court confirms that this action may proceed.

5. After conferring on these matters, the parties have stipulated and agreed to seek the Court's permission to defer the Rule 26(f) conference, the Rule 26(f) report and any Rule 26(a) disclosures until the Court has ruled on the defendants' motions to dismiss the Complaint. Following the Court's ruling on defendants' anticipated motions to dismiss, the parties will confer again in an effort to set deadlines for completing these initial requirements and submit a proposal for the Court's consideration.

### **CONCLUSION**

The parties respectfully request that the Court extend the defendants' deadline to respond to plaintiff's complaint until May 21, 2015. In addition, the parties request that the Court defer their obligation to complete their Rule 26 initial disclosures and preliminary planning obligations until after the Court rules on the defendants' anticipated motions to dismiss. For the Court's convenience, a proposed order granting this relief is attached hereto as Exhibit 1.

Respectfully submitted, this 27th day of March, 2015

*For Plaintiff Jeffrey Pombert:*

**/s/John F. Salter**

John F. Salter  
Georgia Bar No. 623325  
Roy E. Barnes  
Georgia Bar No. 039000  
The Barnes Law Group, LLC  
31 Atlanta Street  
Marietta, Georgia 30060  
Tel. (770) 227-6375  
Fax (770) 227-6373

*For Defendant Robert T. Core:*

**/s/Christopher E. Parker**

Christopher E. Parker, Esq.  
Georgia Bar No. 562152  
Michael P. Kohler  
Georgia Bar No. 427727  
Miller & Martin PLLC  
1180 West Peachtree Street, NW  
Suite 2100  
Atlanta, Georgia 30309  
Tel. (404) 962-6456  
Fax (404) 962-6356

*For Defendants Glock, Inc.,  
Consultinvest, Inc., and John F. Renzulli*

**/s/Ronan P. Doherty**

Ronan P. Doherty  
Georgia Bar No. 224885  
Bondurant, Mixson & Elmore, LLP  
3900 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309  
Tel. (404) 881-4100  
Fax (404) 881-4111

*For Defendant James M. Deichert:*

**/s/Christine Mast**

Christine Mast, Esq.  
Georgia Bar No. 461349  
Hawkins & Parnell  
Thackston & Young LLP  
303 Peachtree Street, NE  
Suite 4000  
Atlanta, Georgia 30308-3243  
Tel. (404) 614-7400  
Fax (404) 614-7500

**CERTIFICATE OF SERVICE**

I, hereby certify that on March 27, 2015, I electronically filed the foregoing **STIPULATED MOTION TO EXTEND DEFENDANTS' TIME TO ANSWER OR MOVE IN RESPONSE TO THE COMPLAINT AND TO DEFER THE PARTIES' RULE 26 OBLIGATIONS** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorneys of record:

John F. Salter, Esq.  
john@barneslawgroup.com

Roy E. Barnes, Esq.  
roy@barneslawgroup.com

I have also served the foregoing pleading by first class mail on the following counsel:

Chris Parker, Esq.  
Miller & Martin PLLC  
1180 West Peachtree Street, NW  
Suite 2100  
Atlanta, Georgia 30309

Christine Mast, Esq.  
Hawkins & Parnell  
Thackston & Young LLP  
303 Peachtree Street, NE  
Suite 4000  
Atlanta, Georgia 30308-3243

**/s/ Ronan P. Doherty**  
Ronan P. Doherty, Esq.  
Georgia Bar No. 224885