

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROBERT DAVIS,

Plaintiff,

Case No. 20-cv-12130

Hon. Robert H. Cleland

v.

JOCELYN BENSON, in her official
and individual capacities as the Secretary of State,
CATHY M. GARRETT, in her official
and individual capacities as the Wayne County Clerk,

Defendant.

ANDREW A. PATERSON (P18690)	JANET ANDERSON-DAVIS (P29499)
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**CATHY M. GARRETT'S RESPONSE TO MOTION FOR EXTENSION OF
TIME TO FILE RESPONSE TO DISMISS (ECF 24)**

Cathy M. Garret through her attorney, Janet Anderson-Davis, asks that this court deny the motion for extension of time for the following reasons:

1. Plaintiff has not shown excusable neglect as required by Fed Rule Civ Pro 6(b)(1)(B).
2. Plaintiff alleges that the delay was due to Plaintiff's and Plaintiff's counsel's heavy election-related caseload.
3. Plaintiff initially filed election cases for this season against Wayne County in June 2020. Cathy Garrett's Motion To Dismiss Amended Complaint was filed October 6, 2020.
4. Plaintiff and/or its counsel had adequate time to review the Motion To Dismiss and to file a response.
5. Any delay was attributed to Plaintiff's voluntary actions and not any external causes not controlled by Plaintiff. Plaintiff has failed to show good cause. *In re Fuller*, 111 B.R. 660 (SD Ohio 1989).
6. In fact, Plaintiff continues to threaten to file lawsuits even after filing his motion for extension of time in this matter. (Exhibit 1).

CONCLUSION

Cathy M. Garrett requests that this Honorable Court deny the Motion For Extension Of Time To File Response To Defendant Cathy Garrett's Motion To Dismiss.

Respectfully submitted,

BY: /s/Janet Anderson Davis
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Dated: November 5, 2020

CERTIFICATE OF SERVICE

I certify that on NOVEMBER 5, 2020, I electronically filed a copy of *CATHY M. GARRETT'S RESPONSE TO MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO DISMISS (ECF 24)* with the clerk of the court using the electronic filing system which will send electronic notification of this filing to all parties.

/s/ Susan Sweetman
Susan Sweetman, PP, CLP
Paralegal