

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO.: 3:15-cv-00111-RJC-DCK

EDDIE BOLLMEIER, BILL TRACY and )  
SIMON PARROTT, )

Plaintiffs )

vs. )

GARY HUMMEL, STEPHEN BRADFORD,) )  
ROB STREBLE, STEVE SMYSER, ) )  
ROBERT FREAR, COURTNEY BORMAN,) )  
And Jane Doe Berman, RONALD NELSON,) )  
PAUL DIORIO, PAUL MUSIC, JOHN ) )  
TAYLOR, JOE STEIN, PETE DUGSTAD, ) )  
JAY MIKEY and STEPHEN NATHAN, ) )

Defendants, sued in their )  
individual capacity. )

**DEFENDANTS' MOTION FOR  
LEAVE TO EXCEED PAGE  
LIMITS FOR THEIR  
MEMORANDUM OF LAW IN  
SUPPORT OF DEFENDANTS'  
MOTION TO VACATE THE ORDER  
DATED MARCH 5, 2015, OR, IN THE  
ALTERNATIVE, TO DISMISS THE  
VERIFIED COMPLAINT**

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Pursuant to Rule 7 of the Federal Rules of Civil Procedure, defendants GARY HUMMEL, STEPHEN BRADFORD, ROB STREBLE, JOHN TAYLOR, JOE STEIN, PETE DUGSTAD, and STEPHEN NATHAN (collectively, the “defendants”) hereby move this Court for leave to exceed the page limits for their Memorandum of Law in Support of Defendants’ Motion to Vacate the Order Dated March 5, 2015, or, in the Alternative, to Dismiss the Verified Complaint. In support of this Motion, defendants respectfully show the Court as follows:

1. Contemporaneously with the filing of this Motion, and in accordance with Local Rule 7.1(C), defendants are also filing a Motion to Vacate the Order Dated March 5, 2015, or, in the Alternative, to Dismiss the Verified Complaint.

2. Under Local Rule 7.1(D), memorandums of law are limited to 25 pages. However, because of the various prior litigation, and the complexity of the issues presented in this case, defendants cannot fully explain the factual and legal bases of their Motion to Vacate

the Order Dated March 5, 2015, or, in the Alternative, to Dismiss the Verified Complaint within the 25-page limit. Accordingly, defendants respectfully request that this Court grant them leave to exceed the page limits and ask that the Court consider their Memorandum of Law in Support of Defendants' Motion to Vacate the Order Dated March 5, 2015, or, in the Alternative, to Dismiss the Verified Complaint in its entirety.

3. In further support of this Motion, defendants are filing a supporting brief in accordance with Local Rule 7.1(C).

4. The undersigned contacted plaintiffs' counsel regarding this matter, and plaintiffs' counsel consented to the instant motion to exceed page limits, as long as defendants' brief did not exceed 35 pages in length.

WHEREFORE, defendants respectfully request that the Court grant them leave to exceed the page limits set forth in Local Rule 7.1(D), and ask that the Court consider defendants' Memorandum of Law in Support of Defendants' Motion to Vacate the Order Dated March 5, 2015, or, in the Alternative, to Dismiss the Verified Complaint.

Dated: April 15, 2015  
Charlotte, North Carolina

Respectfully submitted,

TIN FULTON WALKER & OWEN  
/s/ John Gresham

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PETE DUGSTAD,  
and STEPHEN NATHAN

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing DEFENDANTS' MOTION FOR LEAVE TO EXCEED PAGE LIMITS FOR THEIR MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS' MOTION TO VACATE THE ORDER DATED MARCH 5, 2015, OR, IN THE ALTERNATIVE, TO DISMISS THE VERIFIED COMPLAINT with the Clerk of the Court using the CM/ECF system, and that notification pursuant to the CM/ECF system will be sent to:

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This the 15<sup>th</sup> day of April, 2015.

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