

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-22572-Civ-King

EMMA YAIZA DIAZ et al.,

Plaintiffs,

v.

SUE M. COBB, Secretary of State of Florida,
et al.,

Defendants.

**PLAINTIFFS' UNOPPOSED MOTION FOR A CONTINUANCE
OF THE HEARING SET FOR OCTOBER 24, 2006**

Plaintiffs through counsel respectfully submit this unopposed motion that the Court continue the hearing on Defendants' Motions To Dismiss the Third Amended Complaint currently set for Tuesday, October 24, 2006 until Tuesday, November 21, 2006.

Plaintiffs did not receive notice of the Court's order of October 5, 2006, setting a hearing for October 24, until yesterday, Monday, October 16. Because of counsel's previously scheduled travel for another matter, as well as other obligations, Plaintiffs' respectfully request a continuance of the hearing until November 21, 2006.

Plaintiffs' counsel has contacted defense counsel, and all counsel consent to Plaintiffs' motion for a continuance and are available to appear for the hearing on November 21, 2006. In light of the procedural posture of the case, a continuance of the hearing will not interfere with the administration of Florida's 2006 elections.

For the foregoing reasons, Plaintiffs request that the Court sign the attached order continuing the scheduling conference that is currently set for October 24, 2006 and scheduling the hearing for November 21, 2006 at 10 a.m.

Dated: October 17, 2006
West Palm Beach, Florida.

RESPECTFULLY SUBMITTED,

/s/ Mary Jill Hanson

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UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-22572-CIV-KING/O'SULLIVAN

EMMA YAIZA DIAZ,
et al.

Plaintiffs,

vs.

SUE M. COBB, Secretary of State of Florida,
et al.

Defendants.

_____ /

PROPOSED ORDER

Having considered Plaintiffs' Unopposed Motion for a Continuance of the Hearing Set for October 24, 2006, it is here by ORDERED that the motion is GRANTED and the parties are ordered to appear for the hearing on TUESDAY, NOVEMBER 21, 2006 at 10 a.m.

IT IS SO ORDERED.

U.S. DISTRICT COURT JUDGE
JAMES LAWRENCE KING

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent electronically as an email attachment this 17th day of October, 2006 to counsel for the parties listed in Exhibit A, attached hereto.

By: /s/ Michael Halberstam
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EXHIBIT A

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