

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

IN RE:

ULRICH FELIX ANTON ENGLER;
PRIVATE COMMERCIAL OFFICE, INC.,
and PCO CLIENT MANAGEMENT, INC.,

Debtor.

Case No. 9:08-bk-04360-MGW

Chapter 7
(Substantively Consolidated)

ROBERT E. TARDIF, JR., Chapter 7 Trustee,

Appellant,

v.

District Court Case No.:
2:13-cv-00480-JES

SUNTRUST BANK,

Appellee.

**APPELLEE, SUNTRUST BANK'S UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE AND SERVE RESPONSE BRIEF**

Appellee, SunTrust Bank ("SunTrust") by and through its undersigned counsel, files this Unopposed Motion for Enlargement of Time to File and Serve a Response Brief, and in support thereof, states as follows:

I. FACTUAL BACKGROUND

1. On May 24, 2013, Appellant, Robert E. Tardif, Jr., as Chapter 7 Trustee for the substantively consolidated estates of Ulrich Felix Anton Engler, Private Commercial Office, Inc., and PCO Client Management, Inc. ("Appellant") filed a Notice

of Appeal, which seeks review of the Order entered by the United States Bankruptcy Court for the Middle District of Florida, dated May 10, 2013.

2. On July 11, 2013, Appellant filed a Motion for Enlargement of Time to Serve and File Brief, which SunTrust did not oppose. The Court granted Appellant's Motion for Enlargement, and extended the time for Appellant to file an initial brief until July 25, 2013. [D.E. 5, 6].

3. On July 25, 2013, the Appellant filed and served an Appellant's Brief. [D.E. 7]. In that Appellant's Brief the Appellant raises numerous issues of law that require substantial time with which to respond. Moreover, the record in this matter is voluminous, containing a significant number of documents and transcripts.

4. Accordingly, due to practice and work-related obligations, Appellee requests a fourteen (14) day enlargement of time to file and serve its brief.

5. Under Fed. R. Bank. P. 8009(a)(2), SunTrust's response brief is due on or before August 8, 2013. SunTrust is seeking an enlargement of time of fourteen (14) days, up to and including **August 22, 2013**, within which to respond to Appellant's Brief.

6. Appellee's counsel has conferred with Appellant's counsel with regard to the requested enlargement, and Appellant does not oppose the relief sought and has stipulated to the same

7. This motion is not being made for the purpose of delay, and no party will be prejudiced by this enlargement of time.

WHEREFORE, Appellee, SunTrust Bank, respectfully requests an enlargement of time of up to and including **August 22, 2013**, within which to serve a response to Appellant's Brief.

CERTIFICATE OF GOOD FAITH

SunTrust states that its counsel has conferred with counsel for the Appellant, in a good faith effort to resolve this matter, and counsel for the Plaintiff has agreed to the relief requested herein.

Respectfully submitted, this 5th day of August, 2013.

/s/ Mark Schellhase

DAVID S. HENDRIX, ESQUIRE
Florida Bar No. 827053
david.hendrix@gray-robinson.com
ALISSA M. ELLISON, ESQUIRE
Florida Bar No. 15992
alissa.ellison@gray-robinson.com
MARK D. SCHELLHASE, ESQUIRE
Florida Bar No. 57103
mark.schellhase@gray-robinson.com
GrayRobinson, P.A.
401 E. Jackson Street, Suite 2700
Tampa, Florida 33602
Phone: (813) 273-5000
Fax: (813) 273-5145
Attorneys for SunTrust

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served (i) via the Court's CM/ECF notification to those parties who are registered CM/ECF participants in this case and (ii) was furnished by U.S. Mail on this 5th day of August, 2013 to:

Ulrich Felix Anton Engler
Private Commercial Office, Inc., and
PCO Client Management, Inc. (Non-Debtor)
1217 Cape Coral Parkway, Apt. 121
Cape Coral, FL 33904

/s/ Mark Schellhase

Attorney