

UNITED STATES DISTRICT COURT  
IN THE DISTRICT OF MASSACHUSETTS  
BOSTON, MASSACHUSETTS

SHIVA AYYADURAI, an individual, )  
)  
Plaintiff, )  
)  
v. )  
)  
FLOOR64, INC., a California corporation )  
d/b/a TECHDIRT; MICHAEL DAVID )  
MASNICK, an individual; LEIGH )  
BEADON, an individual; and DOES 1-20, )  
)  
Defendants. )  
)  
)  
)  
\_\_\_\_\_ )

CASE NO. 17-cv-10011-FDS

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO REPLY TO DEFENDANTS’  
MOTIONS TO DISMISS AND MOTIONS TO STRIKE**

Plaintiff Shiva Ayyadurai, through counsel, respectfully moves the Court for a 14-day extension of his time to reply to the Defendants’ dispositive motions, from March 3, 2017 to March 17, 2017. The Plaintiff makes this unopposed motion in the interests of fairness and a full explication of the law governing these complex motions.

On January 27, 2017, this Court granted the Defendants their own request for an unopposed extension of their time to reply. Dkt. 9. On February 17, 2017, the Defendants filed a Motion to Dismiss and also attempted to incorporate California law in a Motion to Strike pursuant to the California Anti-SLAPP statute, Cal. Code Civ. Pro. § 425.16. Dkt. 11-16.

Plaintiff strongly disagrees that California’s anti-SLAPP statute applies. However, opposing the motion requires Plaintiff to research and address complex choice-of-law issues. Further, on the chance that the Court did hold that California’s anti-SLAPP statute applies

and that Defendants met their initial burden under the statute, Plaintiff would then be required to submit evidence establishing a probability that he will prevail on the merits of his claims. C.C.P. § 425.16(b)(1). This involves declarations, including declarations from third party witnesses and substantial documentary evidence. The Motion to Dismiss also presents a number of issues to be opposed, requiring additional time to complete the oppositions for both motions. Further, coordination of the filings of the oppositions will benefit the Court and the parties. A cogent analysis clearly requires more time.

Consequently, on February 24, 2017, counsel for the Plaintiff contacted Defendants' counsel to request that the Defendants reciprocate the courtesy extended to them, by agreeing to a two-week extension. On February 27, 2017, Defendants' counsel agreed not to oppose this Motion.

Accordingly, the Plaintiff requests a 14-day extension – to March 17, 2017 - of the time to respond to the Defendants' motions.

Dated: February 27, 2017

Respectfully submitted,

CORNELL DOLAN, P.C.

By: /s/ Timothy Cornell

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Counsel for Plaintiff Shiva Ayyadurai

RULE 7.1 CERTIFICATE OF CONFERENCE

I hereby certify that, in accordance with Local Rule 7.1, we conferred with Counsel for the Defendants and they have agreed to the above-filed Unopposed Motion for Extension.

/s/ Timothy Cornell

CERTIFICATE OF SERVICE

I hereby certify that the above document is to be filed through the ECF system and will be sent electronically to Defendants.

/s/ Timothy Cornell