

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

TROPICAL CHILL CORP., ET AL.,

Plaintiffs,

v.

HON. PEDRO R. PIERLUISI URRUTIA, IN
HIS OFFICIAL CAPACITY AS
GOVERNOR OF THE COMMONWEALTH
OF PUERTO RICO, ET AL.,

Defendants.

Civil No. 21-1411 (RAM-MEL)

Opposition to Motion for Extension of Time to Respond to R&R Objections

To the Hon. Raúl M. Arias-Marxuach, U.S. Chief District Judge:

The plaintiffs, Tropical Chill Corp., Eliza Llenza, Yasmin Vega, and Rene Matos, respectfully oppose the defendants' "Motion for Extension of Time to File Response in Opposition to Plaintiffs' Objection to Report and Recommendation." ECF No. 118.

Skirmishing over motions for extension of time is seldom a good idea. But of course there are exceptions. When, as here, a motion for preliminary injunction nears the six-month mark, common sense suggests that time and urgency retain considerably more bite. So viewed, an enlargement request should be reasonable. It is true, as the defendants say, that they never objected to the plaintiffs' request for an 11-day extension to object to the R&R. But that request was reasonable. Plaintiffs, after all, had to request the transcripts and work night and day to oppose an unfavorable R&R. It thus follows, without serious question, that plaintiffs have been displaying a high sense of urgency. Yet they have also displayed civility and collegiality

by not opposing any of the defendants’ previous enlargement requests, some of which were unreasonable. Indeed, this Court has previously and correctly shortened some of those enlargement requests.

The requested 30-day enlargement, by contrast, is wholly unreasonable. First, the transcripts have been available for over two weeks, yet the defendants requested them on Tuesday, *see* ECF No. 116. Second, the defendants are *defending* the R&R, which was issued well over a month ago. It thus stands to reason that, if the plaintiffs managed to object to an expansive R&R in 25 days, the defendants, who have considerably more resources than the plaintiffs, should be able to defend it in less than that. Finally, and perhaps more importantly, the defendants are wrong that the requested enlargement would “not cause undue prejudice to Plaintiffs.” ECF No. 118 at 3. If this unreasonable extension were granted, the plaintiffs would continue suffering for three or four more weeks. In short, it appears that the defendants are not displaying the sense of urgency that this matter deserves.

For the reasons stated, and because the defendants have fallen short of showing good cause for the requested enlargement, the plaintiffs respectfully request that this Court deny the defendants’ motion for extension of time. In the alternative, this Court should shorten the extension to seven days, until March 4, 2022.

Dated: February 27, 2022

Respectfully submitted,

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