

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

JOHN ALEXANDER ZAPATA HINCAPIE, §
Plaintiff, §

v. §

TEXAS TECH UNIVERSITY, §
Dr. Sindee Lou Simon, §
Dr. Albert Sacco, Jr., §
Dr. Mark A. Sheridan, §
Dr. Brandon Weeks, §
Dr. Gerardine Gabriela Botte, §
Dr. Chau-Chyun Chen, §
Dr. Siva Vanapalli, §
Dr. Wei Li, §
Dr. Harvinder Singh Gill, §
Defendant. §

CIVIL ACTION NO. 5:23-cv-00045

JURY DEMAND

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION TO FILE
RESPONSE TO PLAINTIFF'S FIRST AMENDED COMPLAINT**

TO THE HONORABLE JUDGE JAMES WESLEY HENDRIX:

Defendants Texas Tech University (Texas Tech), Dr. Sindee Lou Simon, Dr. Albert Sacco, Jr., Dr. Mark A. Sheridan, Dr. Brandon Weeks, Dr. Gerardine Gabriela Botte, Dr. Chau-Chyun Chen, Dr. Siva Vanapalli, Dr. Wei Li and Dr. Harvinder Singh Gill (collectively the "Defendants") file this Unopposed Motion for Extension to File a Response to Plaintiff's First Amended Complaint, and respectfully show the following:

1. On June 30, 2023, Plaintiff filed a First Amended Complaint. Doc. No. 11.
2. The current deadline to file Defendants' responsive pleading thereto is July 14, 2023.
3. During the week the responsive pleading is due, defense counsel has case activity in several other matters, including a hearing in federal court, fact witness meetings,

discovery responses, and the preparation of the filing of documents for an appeal. As a result, defense counsel will not have sufficient time to review the Plaintiff's First Amended Complaint and prepare, finalize, and file a responsive pleading by July 14, particularly in light of the number of claims being asserted as well as the number of named defendants involved. Accordingly, Defendants respectfully request until July 21, 2023 to do so.

4. Defense counsel has conferred with Plaintiff's counsel who indicated that he is not opposed to this motion.

5. Neither party will suffer prejudice from this brief extension of time.

6. The relief requested in this unopposed motion is not sought for delay, but so justice may be done.

For the foregoing reasons, Defendants respectfully request the Court grant this motion thereby extending the deadline to July 21, 2023 to respond to Plaintiff's First Amended Complaint.

Respectfully submitted.

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/s/ Jason T. Contreras
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CERTIFICATE OF SERVICE

I certify that on July 10, 2023, a true and correct copy of the foregoing document was transmitted through the CM/ECF system of the Northern District of Texas, which automatically sends notice and a copy of the filing to all counsel of record.

/s/ Jason T. Contreras
JASON T. CONTRERAS
Assistant Attorney General