

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 17-61390-CIV-ALTONAGA/GOODMAN

GRISEL ALONSO as Receiver for
Elm Tree Investment Advisors, LLC,
Elm Tree Investment Fund, LP,
Elm Tree 'e'conomy Fund, LP,
Elm Tree Motion Opportunity, LP, and
Etopia, LP

Plaintiff,

VS

VICTOR ELMALEH, an individual,
MERCEDES ELMALEH, an individual
1925333 ONTARIO INC. d/b/a CLEARTECH
COMPUTING SYSTEM, a Canadian corporation
ENGAGE MARKETING GROUP, INC., a
Canadian corporation, and M3 DESIGNS, LP a
Delaware partnership,

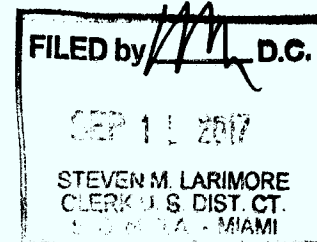
Defendants.

Re: Case No. 17-61390-CIV-ALTONAGA/Goodman

**DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME TO OBTAIN AN
ATTORNEY AND ANSWER CLAIM FILED AGAINST THE DEFENDANTS**

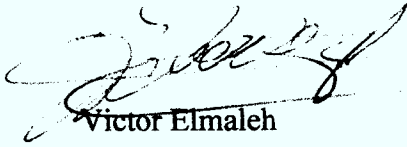
Victor Elmaleh, as an individual and as a representative of, and acting on behalf of Mercedes Elmaleh, 19255333 Ontario Inc., Engage Marketing Group, Inc., and M3 Designs, LP respectfully submits this Motion for Enlargement of Time to obtain appropriate legal representation. We seek additional time for the following reasons:

1. We were not aware of the August 24th, 2017 order by the Honorable Judge Altonaga before I entered surgery Friday August 25, 2017. Unfortunately, due to some complications and further observation, I was in the hospital for a few days and longer than expected. In addition, the recovery was lengthier than anticipated. A copy of information on the surgery is attached as Exhibit A.
2. We live in Toronto, Canada and it takes at least a week for court filings to reach us. We applied for the PACER service and thankfully we received the required token on September 6, 2017. Attached as Exhibit B.



THEREFORE, we respectfully request an enlargement of time to appropriately defend the claim filed by the Plaintiff.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor Elmaleh", written over a horizontal line.

Victor Elmaleh

Contact Information:
59 McCabe Crescent,
Thornhill, Ontario
Canada,
L4J 2S6.
647-990-8869

Dr. David M. Hajek
Ste. 328 - 1333 Sheppard Ave E
Toronto, ON M2J 1V1
Office (416) 494-7900

MRN = 1190015 FIN = 5827300
ELMALEH, VICTOR
1944-OCT-07 M 72 Years
59 MCCABE CRESCENT THORNHILL, L4J2S6
(905) 660-9706 2017-AUG-10
(FM) WYMAN, MICHAEL (AT) HAJEK, DAVID MI
Adult Preadmit

DAY SURGERY INFORMATION

8436351897



Procedure: Green light laser prostate vaporization

Date: Friday August 25, 2017 at 8:00 arrive at 6:30 a.m.

Our office will contact you two business days prior to your surgery date to confirm your arrival time at the hospital.

Pre-Op Clinic: If you require a Pre-Op appointment, our office will contact you with the date and time. The Clinic is located at North York General Hospital on the 4th Floor, South-East Wing. No fasting is required. You may be there between 2-4 hours. Bring a list of your medications.

On the Day of Your Surgery: Please go to North York General Hospital, Patient Registration on the Lower Level (Ground Floor), across from the Gift Shop. They will direct you to the Day Surgery Unit on the First Floor. **BRING YOUR HEALTH CARD.**

Please note -- You must arrange for an adult to accompany you home and to stay with you for the first 24 hours after your procedure to assist you with your daily activities and mobility (walking, using the stairs).

Fasting Rules: Do not eat or drink after midnight the night before your surgery. You may brush your teeth.

Medication Rules: You may be advised to stop/reduce any blood thinner or antiplatelet agents. If you do take any medication of this type, please make sure you have received instructions from Dr. Hajek regarding whether or not it should be stopped prior to surgery. At the Pre-Op Clinic appointment, make sure you understand which of your routine medications should be taken on the morning of surgery.

Following surgery, do not drive a car or perform any task that requires coordination, skill, or judgement for at least 24 hours after your anesthetic. Keep your activity light for the rest of the day. It is normal to feel a little dizzy or sleepy. Eat only a light meal (such as soup and a beverage) that evening. Do not drink any alcoholic beverages within 24 hours of the anesthetic.

NOTE:

The scheduled surgery times are only estimates, and you should be prepared to wait for several hours. In unusual circumstances, your surgery could be cancelled on the scheduled date.

North York General Hospital
4001 Leslie Street
Toronto, Ontario
M2K 1E1
416-756-6000

Day Surgery Unit - 416-756-6227

Pre-Op Clinic - 416-756-6375



08/28/2017

Phil Elmaleh
59 McCabe Crescent
Thornhill, Ontario L4J2S6
Canada

Dear Phil Elmaleh

Thank you for your interest in the Public Access to Court Electronic Records (PACER) service. In order to activate your search capabilities in PACER, please follow the steps provided below:

1. Go to www.pacer.gov and click on Manage My Account.
2. To log in, enter the username and password you set up during registration.
3. Click the Activate Case Search Privileges link under the Settings tab.
4. Enter your authentication token: **KOQ4-KNEM-TR3B**
5. Click Submit.

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Sincerely,

Anna Marie Garcia
Chief, PACER Support Branch

Elm
400 Sunny Isles Blvd, #908
Sunny Isles Beach, FL 33160

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Southern District of Florida
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Miami, FL 33128



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EP14H July 2013 Outer Dimension: 10 x 5