

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UMB BANK, N.A., )  
)  
Plaintiff, )  
)  
v. ) Case No. 22-CV-00550-BCW  
)  
MICHAEL W. COLEMAN, )  
)  
Defendant. )

**DEFENDANT DR. MICHAEL W. COLEMAN'S THIRD  
UNOPPOSED MOTION FOR ENLARGEMENT OF TIME  
TO ANSWER OR OTHERWISE PLEAD**

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COMES NOW Defendant Dr. Michael W. Coleman, by and through undersigned counsel, and respectfully moves this Court to grant his Third Unopposed Motion for Enlargement of Time to Answer or Otherwise Plead to December 16, 2022. In support thereof, Defendant states as follows:

1. Plaintiff filed its Complaint on August 24, 2022.
2. Defendant's counsel was retained on October 12, 2022, and a Notice of Appearance was filed that day.
3. Plaintiff's counsel and Defendant's counsel agreed that Defendant's response to the Complaint would be due on November 14, 2022.
4. Defendant filed his Unopposed Motion for Extension of Time to Answer on October 17, 2022 (Doc #5) and this Court entered its Order Granting Defendant's Unopposed Motion for Enlargement of Time (Doc #6) on October 18, 2022 enlarging Defendant's time to answer or otherwise plead to November 14, 2022.

5. Because of ongoing settlement negotiations, Defendant's counsel filed his second Unopposed Motion for Enlargement of Time to Answer or Otherwise Respond to Plaintiff's Complaint on November 14, 2022 (Doc #7) requesting an Answer date of November 30, 2022. That motion was not filed within the three days' time preceding the deadline as Defendant's counsel waited for Plaintiff's counsel's consent to the motion.

6. As the Court was not able to consider the second Motion for Enlargement of Time on the date the Answer was due, Defendant's counsel also filed a Motion to File Out of Time the Motion for Enlargement of Time to Answer or Otherwise Plead on November 14, 2022 (Doc #8).

7. The Court granted the Unopposed Motion for Enlargement of Time on November 18, 2022 (Doc #9) extending Defendant's Answer deadline to November 30, 2022.

8. Because of the upcoming Thanksgiving holiday and the Court's request that the parties file motions to extend deadlines three days prior to the deadline date, Defendant's counsel moves the Court to extend Defendant's deadline to answer or otherwise respond to the Complaint to Friday, December 16, 2022.

9. The parties are continuing to engage in discussions to attempt to resolve this matter without the need for further litigation.

10. The parties have agreed to enlarge Defendant's time to answer or otherwise plead to the Complaint to Friday, December 16, 2022.

11. Plaintiff's counsel does not oppose Defendant's Third Motion for Enlargement of Time to answer or otherwise respond to the Complaint to December 16, 2022.

WHEREFORE, Defendant Dr. Michael W. Coleman moves this Court, with the consent of Plaintiff's counsel, to enter an order granting his Third Unopposed Motion for Enlargement of

Time to Answer or Otherwise Plead to December 16, 2022 and for such other and further relief as this Court deems just and proper.

Respectfully submitted,

McDOWELL, RICE, SMITH & BUCHANAN,  
a Professional Corporation

By: /s/ Robert D. Maher

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ATTORNEYS FOR DEFENDANT  
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### **CERTIFICATE OF SERVICE**

I hereby certify that the above and foregoing was sent via e-mail this 23rd day of November, 2022 to:

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