

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

ZHAOYIN WANG
Plaintiff,

v.

BETA PHARMA, INC., DON ZHANG,
AND ZHEJIANG BETA PHARMA
CO., LTD.,
Defendants.

Civil Action No. 3:14-cv-01790-VLB

MAY 1, 2015

MOTION TO ENLARGE TIME TO OBJECT TO MOTION TO DISQUALIFY COUNSEL
(With Consent of Opposing Counsel)

Zhaoyin Wang, by counsel, hereby notifies the court that it intends to object to defendants' Motion to Disqualify Counsel (Document 64). Plaintiff seeks an extension of time to file its opposition papers until 21 days after defendants notify the court and counsel that their submission of documentary evidence in support of their Motion to Disqualify is complete. In support, the undersigned represents:

1. Defendants have represented in their Memorandum in Support of Motion to Disqualify Counsel that they may choose to file allegedly attorney-client privileged materials in support of their motion. See Document 64-1, page 6, footnote number 8.

2. Defendants have filed an "Emergency Motion for Protective Order" with respect to their motion to disqualify counsel, which motion seeks an order permitting the defendants to submit certain confidential and attorney-client privileged documents in support of the Motion to Disqualify, without waiver of

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their privileges with respect to those documents. The motion is pending as Document 49.

3. Plaintiff has filed his opposition to the "Emergency Motion for Protective Order", and has filed a "Memorandum in Opposition to Defendants' Claim for Emergency Relief" (Document 50) and a further substantive objection, "Memorandum in Opposition Re: Emergency Motion for Protective Order" (Document 62). Defendant has filed a "Reply to Response to Emergency Motion for Protective Order" (Document 65). The motion is fully briefed and ready for adjudication.

4. This court's ruling on the Motion for Protective Order, (Document 49) may permit defendants to raise new factual arguments in support of its Motion to Disqualify, thus affecting how plaintiff responds. Plaintiff should be afforded the opportunity to respond to a complete, fully developed motion. Plaintiff should not be burdened with having to file a partial response, only to be confronted with new, allegedly privileged factual material in a reply brief. Plaintiffs cannot respond as of right to a reply brief, and the response is otherwise limited by court rules.

5. Plaintiff therefore moves for an extension of time until 21 days after the defendants notify the court that their submission of documents in support of their Motion to Disqualify Counsel is complete, following this court's ruling on the Motion for Protective Order.

6. This motion, if granted, will permit the plaintiff to see all of the documentary evidence the defendants intend to file in support of the motion, before having to draft a response. It promotes judicial efficiency by eliminating additional rounds of briefing, and promotes fairness by requiring the defendants to put forth their entire argument prior to requiring plaintiff to respond.

CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2015, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/

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