

ESTTA Tracking number: **ESTTA845161**

Filing date: **09/12/2017**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91234962
Applicant	Defendant 7522 Restaurant Corp
Other Party	Plaintiff Famous Dave's of America, Inc.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 02/13/2018. 7522 Restaurant Corp requests that such date be extended for 60 days, or until 04/14/2018, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	03/15/2018
Discovery Closes :	04/14/2018
Plaintiff's Pretrial Disclosures :	05/29/2018
Plaintiff's 30-day Trial Period Ends :	07/13/2018
Defendant's Pretrial Disclosures :	07/28/2018
Defendant's 30-day Trial Period Ends :	09/11/2018
Plaintiff's Rebuttal Disclosures :	09/26/2018
Plaintiff's 15-day Rebuttal Period Ends :	10/26/2018

The grounds for this request are as follows:

- *Counsel for Applicant, Crystal M. Mitchell, with Flanders, Elsberg, Herber and Dun, LLC, is a resident of Houston, Texas and the recent hurricane caused flooding of her home and home office. Ms. Mitchell is/was acting as the lead attorney on this matter, at least for all non-appearance matters. Due to her absence, the shifting of work to cover during her absence, and the ongoing press of business, a short stay of proceedings is needed. Neither party will be prejudiced by the stay requested.*

7522 Restaurant Corp has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

7522 Restaurant Corp has provided an email address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,

/Mark A. Herber/

Mark A. Herber

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