

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

**ANDREA ROSSI, et al.,** )  
 )  
 Plaintiffs, )  
 v. )  
 )  
**THOMAS DARDEN, et al.,** )  
 )  
 Defendants. )  
\_\_\_\_\_ )

No. 16-cv-21199-CMA (JJO)

**MOTION FOR LEAVE TO EXCEED PAGE LIMITS  
FOR STATEMENT OF MATERIAL FACTS**

Defendants Thomas Darden, John T. Vaughn, Cherokee Investment Partners, LLC, Industrial Heat, LLC, and IPH International, B.V. (collectively, “Defendants”) respectfully seek leave to exceed the page limits for their Local Rule 56.1 statement of material facts. In support, the Defendants state as follows:

Defendants intend to file a single summary judgment motion. Defendants’ summary judgment motion will address all of Defendants’ claims in the Fourth Amended Answer, Additional Defenses, Counterclaims, and Third-Party Claims (“4th Amended AACT”) against Plaintiffs and Third-Party Defendants, as well as Plaintiffs’ claims in the Complaint. Defendants anticipate Plaintiffs’ summary judgment motion will address Plaintiffs’ claims in the Complaint and Defendants’ Counterclaims in the 4th Amended AACT. Defendant also anticipate Third-Party Defendants’ summary judgment motion(s) will address Defendants’ Third-Party Claims in the 4th Amended AACT.

Defendants requested, by separate motion, leave to exceed the page limits for their summary judgment motion. *See* ([D.E. 188]). Specifically, Defendants requested fifty (50) pages for their summary judgment motion, fifty (50) pages for their responses to Plaintiffs’ and

Third-Party Defendants' summary judgment motions, and twenty-five (25) pages for a reply in support of their own summary judgment motion. *Id.* Defendants hereby also request twenty (20) pages for their Local Rule 56.1 statement of material facts.

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.13(a)(3)**

Pursuant to Rule 7.13(a), late in the evening on March 20, 2017, Defendants attempted to confer with Plaintiffs and Third-Party Defendants regarding their intent to seek additional pages for their Local Rule 56.1 statement of material facts, but were unable to do so.

Dated: March 21, 2017

Respectfully submitted,

*/s/ Christopher R. J. Pace*

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 21, 2017, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all counsel or parties of record.

/s/ Christina T. Mastrucci  
Christina T. Mastrucci