

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**DAVID ROBERTSON and
DANIEL RODNI,**

Plaintiffs,

v.

RYAN UPCHURCH,

Defendant.

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Case No. 3:23-cv-00770

District Judge William L. Campbell, Jr.

Magistrate Judge Barbara D. Holmes

MOTION FOR LEAVE TO FILE OVERSIZED MEMORANDUM

Defendant Ryan Upchurch, by and through undersigned counsel, hereby moves this Court for an Order allowing him to file an oversized Memorandum of Law in support of his anticipated Motion to Dismiss to be filed on October 10, 2023. In support of this Motion, Mr. Upchurch would show the following:

1. The Middle District of Tennessee Local Rule 7.01(a)(2) provides that no memorandum of law in support of a motion may exceed twenty-five pages without leave of Court.

2. Undersigned counsel requires more than the twenty-five pages permitted under the Local Rules to comprehensively lay out the legal issues in this matter. The Amended Complaint (Doc. No. 9) is 169 numbered paragraphs and 43 pages long. Additionally, because there is a choice of law issue in this case, it is necessary to argue both Tennessee and California law.

WHEREFORE, Mr. Upchurch requests this Court file an Order allowing him to file an oversized Memorandum of Law in support of his anticipated Motion to Dismiss to be filed on October 10, 2023.

Respectfully Submitted,

Sherwood Boutique Litigation, PLC

By: /s/ Cynthia A. Sherwood

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Counsel for Defendant Ryan Upchurch

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served on the following via
the Court's CM/ECF system:

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on this the 10th day of October 2023.

/s/ Cynthia A. Sherwood