

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES M. MURRELL III,

Plaintiff,

v.

PATRIOT FRONT, THOMAS ROUSSEAU,  
AND JOHN DOES 1-99,

Defendants.

Civil No. 1:23-cv-11802

**PLAINTIFF'S MOTION TO EXTEND THE DEADLINE TO FILE DEFAULT  
JUDGMENT MOTION AND RENEWED MOTION FOR LEAVE TO  
CONDUCT PRE-RULE 26(F) CONFERENCE DISCOVERY**

Plaintiff Charles M. Murrell III hereby moves the Court, *ex parte* (but not under seal), pursuant to Federal Rule of Civil Procedure 6(b) and this Court's Standing Order on Motions for Default Judgment (ECF No. 24), for an Order that extends Plaintiff's deadline to file a motion for default judgment against Patriot Front (currently January 18, 2024) until after he has received a decision on the merits as to all named defendants. This is Mr. Murrell's first request for an extension of his deadline to file a Motion for Default Judgment against Patriot Front. Mr. Murrell is seeking this extension because, as set forth in the accompanying Memorandum of Law, Plaintiff has live claims against other defendants and because Plaintiff has not yet had the opportunity to conduct discovery into issues related to the quantum of his damages from Patriot Front. Because Patriot Front has defaulted, Plaintiff was unable to ask whether Patriot Front consents to this extension request.

Plaintiff further moves the Court, *ex parte* (but not under seal), pursuant to Rule 26(d) of the Federal Rules of Civil Procedure, for leave to conduct discovery in advance of a Rule 26(f) conference. Plaintiff's contemplated discovery will be aimed at (1) obtaining information

necessary to complete service on Thomas Rousseau, (2) identifying and serving the John Doe Defendants, and (3) quantifying his damages, including punitive damages, against Patriot Front.

In further support of this Motion, Plaintiff relies upon the accompanying Memorandum of Law. For the reasons stated therein, Plaintiff respectfully requests that the Court enter an order that: (1) extends Plaintiff's deadline to file a motion for default judgment against Patriot Front (currently January 18, 2024) until after he has received a decision on the merits as to all named defendants; and (2) grants Plaintiff leave to conduct early discovery pursuant to Rule 26(d) so as to (a) determine a means of serving Thomas Rousseau, (b) ascertain the identities of and serve the John Doe Defendants, and (c) obtain information relevant to the quantum of his damages claim against Patriot Front.

Dated: January 12, 2024

Respectfully Submitted,

CHARLES M. MURRELL III

By his attorneys,

/s/ James M. Gross

James M. Gross (admitted *pro hac vice*)

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 12th Day of January, 2024, I caused a copy of the above document to be electronically filed using the CM/ECF system. To the extent necessary, Plaintiff will serve this Motion in accordance with this Court's ruling on the Motion.

*/s/ James M. Gross*

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James M. Gross