

**IN THE UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of	:	
	:	
	:	
	:	
DYNAMIC HEALTH OF FLORIDA, LLC,	:	
CHHABRA GROUP, LLC,	:	
DBS LABORATORIES, LLC,	:	
Limited liability companies,	:	
	:	
VINCENT K. CHHABRA,	:	DOCKET NO. 9317
Individually and as an officer of	:	
Dynamic Health of Florida, LLC,	:	
And Chhabra Group, LLC, and	:	
	:	
JONATHAN BARASH,	:	
Individually and as an officer of	:	
DBS Laboratories, LLC.	:	

**RESPONDENTS' MOTION TO EXTEND THE TIME FOR
FILING ANSWERS TO ADMISSIONS AND TO MODIFY THE SCHEDULING ORDER
DATED AUGUST 2, 2004**

On October 25, 2004, Complaint counsel served on counsel for Respondents Chhabra, Chhabra Group, LLC and Dynamic Health of Florida, LLC (“Respondents”) its First Set of Interrogatories to Respondents and First Request for Production of Documentary Material and Tangible Things. On November 2, 2004, Complaint counsel served on counsel for Respondents its Request for Admissions. For the reason set forth below, Respondents request until December 15, 2004 to fully respond to these pleadings.

On or about October 26, 2004, Janet Kravitz, wife of Respondents’ counsel and partner in Kravitz & Kravitz, LLC, was preliminarily diagnosed with breast cancer. This diagnosis was confirmed on November 1, 2004. Janet Kravitz is presently scheduled for surgery on November 15, 2004. After surgery, a regimen of chemotherapy will be initiated. At a minimum,

Respondents' counsel will be unable to fully undertake the responsibilities of this case for at least three weeks. As a result of the foregoing, Respondents' counsel had to cancel his trip to Florida on October 31, 2004 to meet with Mr. Chhabra, interview witnesses and review potential documents. Kravitz & Kravitz, LLC is a small Columbus, Ohio firm that ordinarily does not undertake work before the Federal Trade Commission. There is no one at the firm that can take over the responsibilities of this case.

As a practical matter, as a result of the administrative subpoenas issued prior to the commencement of this lawsuit, as well as the initial disclosures of the parties and the issuance of third party subpoenas, the case is progressing. Notwithstanding Janet Kravitz's illness, Respondents' counsel intends to respond to Complaint Counsel's discovery requests in a timely fashion but needs some relief from the response dates in the discovery requests and the dates set forth in the August 2, 2004 Scheduling Order.¹

Specifically, it is requested that the deadline for issuing document requests, admissions and subpoenas duces tecum be extended until November 30, 2004. Respondents' counsel also requests that the discovery deadlines in the Scheduling Order be extended for thirty days.

WHEREFORE, it is respectfully requested that notice to Complaint counsel of Respondents' experts be extended to December 9, 2004 and the deadline for issuing document

Respectfully Submitted,

/s/ Max Kravitz

MAX KRAVITZ (Ohio Reg. 0023765)

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CERTIFICATE OF SERVICE

This is to certify that on November 9, 2004, I caused a copy of the attached Respondent's Motion to Extend Time to be served upon the following persons by facsimile, email or U.S. First

Class Mail:

(1) the original and one (1) paper copy filed by Federal Express, and one electronic copy via email to:

Donald S. Clark, Secretary
Federal Trade Commission, Room 159
600 Pennsylvania Avenue, NW
Washington, DC 20580
E-mail: secretary@ftc.gov

(2) two (2) paper copies served by Federal Express and one electronic copy via email to:

The Honorable Stephen J. McGuire
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580
E-mail: dgross@ftc.gov

(3) one (1) electronic copy via email and one (1) paper copy via U.S. mail to:

Janet Evans
Syd Knight
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580
E-mail: jevans@ftc.gov

I further certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the original.