

received in time.

MEMORANDUM OF POINTS AND AUTHORITIES

FACTS

The status conference is for an update concerning payments to owners of the land leased by the Blue Lagoon from the Court's escrow account. Counsel for Mark Mailo has a family medical emergency and is flying to the U.S. on May 20, 2013. Due to the seriousness of the emergency counsel likely will not be available even by telephone. A brief continuance after June 11, 2013 is sought, or in the alternative to proceed without this counsel.

ARGUMENT

Rule 6(b) of the FSM Rules of Civil Procedure states,

"(b) Enlargement. When by these rules or by a notice given thereunder or by order of court an act is required or allowed to be done at or within a specific time, the court for cause shown may at any time in its discretion (1) with or without notice order the period enlarged if request therefore is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) upon motion made after the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect; but it may not extend the time for taking any action under rules 52(b), 59(b), (d) or (e), and 60(b), except to the extent and under the conditions stated in them."
(Emphasis added).

Counsel for Mark Mailo has to make an emergency trip to the U.S. for a family emergency. As a result a brief continuance is requested.

RULE 6(D) COMPLIANCE

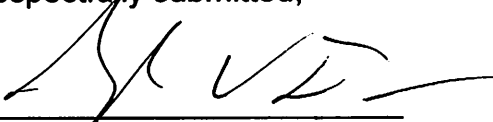
Due to time constraints, counsel had to file this motion before leaving.

CONCLUSION

For the foregoing reasons, plaintiff seeks an enlargement of time to continue the hearing set for June 3, 2013.

Respectfully submitted,

Dated: 5-19-13



Stephen V. Finnen
A Law Corporation
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 20th day of May, 2013, I caused to have a copy of plaintiff's Motion to Enlarge Time, served on the parties by having the same to delivered to the parties, at the following address, by the means described by their name, this date.

HAND DELIVERED

Ramp & Mida
P. O. Box 1480
Kolonias, Pohnpei, FM 96941

FIRST CLASS MAIL
and EMAIL

Sabino Asor
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P.O. Box 1050
Weno, Chuuk, FM 96942

Dated: May 20, 2013