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FILED
7/17/13 3:45
DATE: _____ TIME: 3:45 pm
By: *[Signature]*
CLERK, FSM SUPREME COURT
YAP
TRIAL DIVISION

6 Counsel for Defendant Vessel and Captain Hung Yao Chang

7 **IN THE SUPREME COURT OF**
8 **THE FEDERATED STATES OF MICRONESIA**
9 **TRIAL DIVISION - STATE OF YAP**

10 **FEDERATED STATES OF) CIVIL ACTION NO. 2013-3001**
11 **MICRONESIA,)**
12 **Plaintiff,)**
13 **v.)**
14 **KUO RONG 113, a fishing vessel,)**
15 **HUNG YAO CHANG (Captain of the)**
16 **fishing vessel), SYU BEI-JING)**
17 **(Permit Holder), and LUEN THAI)**
18 **FISHING VENTURE LTD.,)**
19 **Defendants.)**

**MOTION FOR AN
ENLARGEMENT OF TIME**

20 COMES NOW, Defendants vessel and Captain, by and through
21 the undersigned counsel, and moves the Court for an enlargement
22 of time within which to file their Answer to the Complaint.
23 This motion is based on the following memorandum of points and
24 authorities.

25 **MEMORANDUM OF POINTS AND AUTHORITIES**

The Answer in this matter is due today. Settlement negotiations are still ongoing between the parties. It is unlikely any agreement will be reached before the end of today.

1 Therefore, an enlargement of time is necessary up to July 31st
2 2013.

3 APPLICABLE LEGAL STANDARD

4 Rule 6(b) of the FSM Supreme Court Rules of Civil Procedure
5 provides:

6 "(b)Enlargement. When by these rules or by a notice
7 given thereunder or by order of the Court, an act is
8 required or allowed to be done at or within a specific
9 time, the Court for cause shown may at any time in its
10 discretion (1) with or without motion or notice order
11 the period enlarged if request therefore is made before
12 the expiration of the period originally prescribed or
13 as extended by a previous order, or (2) upon motion
14 made after the expiration of the specific period,
15 permit the act to be done where the failure to act was
16 the result of excusable neglect...."

17 This enlargement motion is filed prior to the expiration of
18 the time prescribed for the filing of the Answer, therefore good
19 cause does exist.

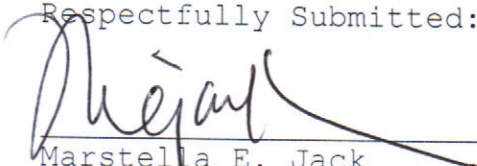
20 Rule 6(d) Certification - Counsel for plaintiff has been
21 contacted about this motion and he does not object.

22 **CONCLUSION**

23 Good cause apparent, the court is therefore requested to
24 kindly grant this motion for enlargement.

25 Dated: 17 July 2013

Respectfully Submitted:

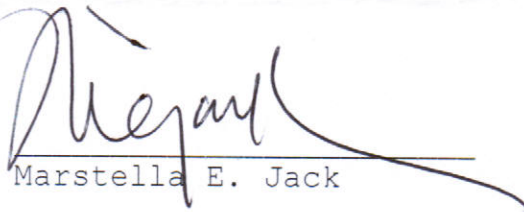

Marstella E. Jack
Counsel for Defendant

CERTIFICATE OF SERVICE

This is to certify that on 17 July 2013 I served a true and correct copy of the above going Enlargement Motion on the following counsels by emailing a copy and posting it.

Steve George
FSM Department of Justice
Counsel for Plaintiff
Palikir, Pohnpei FSM 96941

Steve Finnen
Counsel for Luen Thai Fishing Co.,
Kolonias, Pohnpei FSM 96941



Marstella E. Jack