

Motion is GRANTED. The hearing on Plaintiffs' motion for temporary restraining order set for October 29, 2014 is hereby continued. Plaintiffs shall have 7 days to file a reply brief in support of their motion to remand to state court.

/s/ John R. Adams
U.S. District Judge
10/27/2014

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|---------------------------------------|---|---------------------------|
| ELLORA’S CAVE PUBLISHING, INC., et al |) | CASE NO.: 5:14CV2331 |
| |) | |
| Plaintiffs, |) | JUDGE JOHN R. ADAMS |
| |) | |
| vs. |) | |
| |) | |
| DEAR AUTHOR MEDIA NETWORK, LLC et al. |) | <u>MOTION TO CONTINUE</u> |
| |) | <u>HEARING</u> |
| Defendants. |) | |
| |) | |

Plaintiffs request this Court for an order granting a continuance of the October 29, 2014, hearing on Plaintiff’s Motion for Temporary Restraining Order filed in the State Court. Plaintiffs assert two grounds of good cause for this request for continuance.

First, Plaintiffs Motion for Remand to State Court was recently filed. The grounds for that motion concern the Defendants’ express and implicit waiver of their right of removal by agreeing to submit to the jurisdiction of the State court to hear the merits of this case. Plaintiffs, therefore, respectfully request that adjudication of the jurisdictional question of remand to the State court be answered before the injunctive relief hearing on the merits is held.

Second, undersigned counsel has a conflict with the October 29, 2014 hearing date and other previously scheduled court appearances. See “Exhibit A” attached hereto. While this matter was previously scheduled for October 27 in the State court, that hearing date had been