

CIRCUIT COURT OF COLBERT COUNTY, ALABAMA

John R. Benn

Plaintiff

v.

Case number CV-2002-184

Judge J. Hatcher

Robert Novak

Defendant

Motion for Continuance

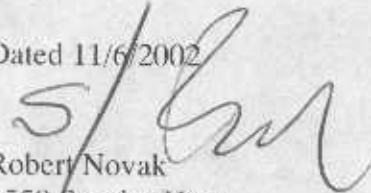
Defendant Robert Novak *pro se* moves this Court to adjourn and/or continue the November 19th, 2002 hearing on Plaintiff's motion to dismiss defendants counterclaim for the following reasons in support.

I am in the process of preparing a Summary Motion to dismiss and am awaiting the return of plaintiff's responses to my interrogatories and demand for documents. Plaintiff is required to submit his responses in the next few days.

Further due the distances involved I would request that on any adjourned date that the hearing be held telephonically

Wherefore, Defendant requests an adjourned date of forty five to sixty days.

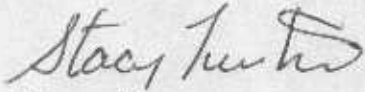
Dated 11/6/2002


Robert Novak
1550 Sunrise Hwy
Copiague NY 11726
631.789.5400

Original Copy to: John Benn
104 West Third Street
Sheffield AL 35660

Certificate of Service

I Stacy Turturro, certify that I mailed by US Mail First Class postage pre-paid a copy of the foregoing Motion for Continuance upon John Benn, 104 West third St., Sheffield Al 35660.

A handwritten signature in cursive script that reads "Stacy Turturro".

Stacy Turturro
November 6, 2002