

1 Thomas C. Horne  
Attorney General

2 TERRENCE E. HARRISON (Bar #010911)  
3 FRED ZEDER (Bar #016954)  
Assistant Attorney General  
4 1275 W. Washington  
Phoenix, Arizona 85007-2926  
5 Telephone: (602) 542-7680 (Harrison)  
Telephone: (602) 542-7696 (Zeder)  
6 Fax: (602) 542-3393  
DefensePhx@azag.gov  
7 E-mail: [Terry.Harrison@azag.gov](mailto:Terry.Harrison@azag.gov)  
E-mail: [Fred.Zeder@azag.gov](mailto:Fred.Zeder@azag.gov)

8 *Attorneys for Defendants Goddard, Halikowski and Vanderpool*

9  
10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE DISTRICT OF ARIZONA**

12 DANIEL ARTHUR GUTENKAUF, an  
unmarried man

13 Plaintiff,

14 v.

15 CITY OF TEMPE, a municipal corporation  
16 and body politic; et al.

17 Defendants.

Civil Action No. 2:10-CV-02129-FJM

**DEFENDANTS' GODDARD'S,  
HALIKOWSKI'S, AND  
VANDERPOOL'S MOTION FOR  
ENLARGEMENT TO FILE  
RESPONSIVE PLEADING PURSUANT  
TO FED.R.CIV.P. 6(b)**

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19 Defendants Terry Goddard, Monica Goddard, John S. Halikowski, Ruth  
20 Halikowski, Roger Vanderpool and Valerie Vanderpool, pursuant to Fed.R.Civ.P. 6(b),  
21 move the Court for an enlargement of time to file their responsive pleadings to the  
22 Plaintiff's First Amended Complaint for the following reasons:

23 The Plaintiff's 93 page, 414 paragraph , First Amended Complaint was served on  
24 Defendants Halikowski and Vanderpool on January 17, 2011. (Doc. 32,33, 37, 38).  
25 Defendants Goddard were served with the First Amended Complaint on January 21, 2011.  
26 (Doc. 30, 31). Defendant Terry Goddard is no longer the Arizona Attorney General.

1 Defendant Roger Vanderpool has not been the Director of the Arizona Department of  
2 Public Safety for many months. The responsive pleading for Defendants Vanderpool and  
3 Halikowski is due February 8, 2011. The responsive pleading for Defendants Goddard is  
4 due February 10, 2011. This motion or request for an extension of time has been made  
5 before the original time to file a responsive pleading has expired. Fed.R.Civ.P. 6(b)(1)(A).

6 These Defendants need additional time to prepare a responsive pleading because  
7 they have been unable to yet meet with counsel to discuss the hundreds of allegations  
8 made by the Plaintiff. The preparation of their responsive pleadings also requires  
9 additional time because the allegations appear to concern a contract for services between  
10 the City of Tempe and the various Redflex entities, and the State of Arizona and the  
11 Defendants were not parties to that contract. Finally, many of the allegations which relate  
12 specifically to the moving Defendants are very general in nature and do not set forth  
13 specific facts which show the Plaintiff is entitled to relief.

14 The parties, through counsel, attempted to obtain the stipulation to an extension  
15 from the Plaintiff, but Plaintiff rejected the request.

16 For the foregoing reasons, the Defendants request an extension of time in which to  
17 file a responsive pleading through, and including, February 25, 2011.

18 RESPECTFULLY SUBMITTED this \_\_\_\_\_ day of February, 2011.

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Thomas C. Horne  
Attorney General

/s/Fred Zeder  
TERRENCE E. HARRISON  
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Attorneys for Defendants Goddard,  
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The foregoing efiled this 8th day of February, 2011.

COPY of the foregoing mailed this 8th day of February, 2011 to:

Daniel Arthur Gutenkauf  
1847 East Apache Boulevard, No. 41  
Tempe, Arizona 85281  
Plaintiff Pro Se

/s/Gale Round  
Secretary to Fred Zeder

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**UNITED STATES DISTRICT COURT  
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DANIEL ARTHUR GUTENKAUF, an  
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Plaintiff,

v.

CITY OF TEMPE, a municipal corporation  
and body politic; et al.

Defendants.

Civil Action No. 2:10-CV-02129-FJM

**PROPOSED ORDER GRANTING  
MOTION TO EXTEND TIME TO  
RESPOND TO PLAINTIFF'S FIRST  
AMENDED COMPLAINT**

Pursuant to the Motion of Defendants Terry Goddard, Monica Goddard, John S. Halikowski, Ruth Halikowski, Roger Vanderpool and Valerie Vanderpool, and good cause appearing,

IT IS HEREBY ORDERED extending the time for these Defendants to respond to the Plaintiff's First Amended Complaint to February 25, 2011.

DATED this \_\_\_\_\_ day of February, 2011.

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Frederick J. Marone  
U.S. District Court Judge

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