UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 19-23590-CIV-BLOOM

HAVANA DOCKS CORPORATION,

Plaintiff,

vs.

ROYAL CARIBBEAN CRUISES LTD.,

Defendant.
_____/

DEFENDANT'S RESPONSE IN OPPOSITION TO PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANT'S MOTION TO STRIKE JURY DEMAND

Defendant Royal Caribbean Cruises Ltd. ("Royal Caribbean"), submits this Opposition to Havana Docks Corporation's ("HDC's") Motion for Extension of Time to Respond to Royal Caribbean's Motion to Strike Plaintiff's Jury Demand ("Motion for Extension," ECF No. 113). The Court should deny HDC's request for ***seventy-one*** additional days to respond to Royal Caribbean's Motion to Strike the Jury Demand ("Motion to Strike," ECF No. 112). Royal Caribbean is not opposed to a reasonable, two-week extension of time for responding to the Motion, but HDC's request would unnecessarily delay briefing on this motion and frustrate the parties' ability to prepare for trial and appropriately brief pre-trial motions.

HDC demanded a jury trial when it filed this case on August 27, 2019 (ECF No. 1 at 6). From the beginning, Royal Caribbean has denied HDC's right to a jury trial, and Royal Caribbean's pleadings have properly reserved its right to strike HDC's jury trial demand. (ECF No. 16 at 3; *see also* Answer to Amended Complaint, ECF No. 59 at 5.) After conferring with HDC, Royal Caribbean properly and timely filed its Motion to Strike HDC's jury demand on August 27, 2021, well before the deadline for initial briefing on dispositive motions. Under the

Local Rules, HDC's opposition would be due on September 10, 2021—again, before any briefs on dispositive motions are due.

HDC's Motion for Extension unreasonably requests an extra **seventy-one** days for responding to this motion. If HDC's Motion for Extension were granted, HDC would not be required to respond to Royal Caribbean's Motion to Strike until November 19, 2021. The Motion to Strike would not be fully briefed until November 26, 2021, just after Thanksgiving, well after dispositive-motion briefing has been completed, and only two weeks before all other pre-trial motions, including motions in limine, must be filed. Leaving this issue unbriefed during this crucial period will frustrate the parties' ability to prepare useful motions in limine, which will necessarily differ depending on whether the case will be tried before a jury or solely before the Court. Moreover, delaying the Court's ability to resolve this issue until this time will inhibit the parties' ability to prepare for a trial period that is scheduled to begin in February of 2022.

Royal Caribbean respects HDC's need for time to review and respond to the Motion to Strike, and thus does not oppose a reasonable two-week extension of the deadline for responding. Respectfully, however, HDC does not need almost three months to prepare its response. HDC's Motion for Extension correctly describes the serious legal challenges that HDC faces in opposing Royal Caribbean's Motion to Strike, but these difficulties could not have come as a surprise to HDC. Indeed, before demanding a jury trial in its Complaint, HDC presumably researched and determined the legal basis for this demand; HDC need only state this legal basis—if any exists—in its opposition.

Accordingly, Royal Caribbean respectfully requests that the Court deny HDC's Motion for an Extension of Time in part, and instead grant only a 14-day extension of time for responding to

the Royal Caribbean's Motion to Strike the Jury Demand, leaving the response due on September 24, 2021.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing was served on the following counsel of record via email on this 3rd day of September 2021:

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