IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

STATE OF OHIO, ex rel. Attorney General Dave Yost,)))
Plaintiff,)
v.) Case No. 2:20-cv-03430) Judge Sarah D. Morrison
WINE.COM, INC., et al.,) Magistrate Judge Chelsey) M. Vascura
Defendants.)))

DEFENDANT WINE.COM'S THIRD UNOPPOSED MOTION FOR EXTENSION OF TIME TO MOVE OR OTHERWISE PLEAD

Defendant Wine.com ("Wine.com") respectfully moves for an extension of time, up to and including December 1, 2020, to move or plead in response to Plaintiff's Complaint. This is the third requested extension by Wine.com.

Wine.com obtained two previous extensions of time to move or plead, the first extending the answer date to October 23, 2020 (ECF No. 19), and the second extending the date to November 12, 2020 (ECF No. 53). Wine.com and Plaintiff are continuing to discuss a possible agreed resolution of the claims alleged in this case and have made material progress in reaching an agreement. No final resolution, however, has yet been reached. The extension requested by this third request should hopefully provide sufficient additional time to achieve that final resolution.

An extension until December 1 will not unnecessarily delay the proceedings. Two Defendants – ShakeStir, LLC and U.S. Beverage Advertising Corp. – have been given until then to respond to the Complaint. (*See* ECF Nos. 58 & 59.) Wine.com does not intend to seek any

further extensions and is mindful of the Court's caution that no additional extensions after December 1. 2020, will be granted absent a true emergency. (*See* ECF No. 58.)

Counsel for Wine.com has conferred with Plaintiff's counsel regarding this latest extension. Plaintiff's counsel does not oppose the request.

For these reasons, Wine.com respectfully asks that the Court approve an extension of time, up to and including December 1, 2020, to move or plead in response to Plaintiff's Complaint.

In accordance with this Court's Standing Orders, a proposed Order is attached to this motion as Exhibit A and will be submitted electronically to chambers.

Respectfully submitted,

/s/ James A. King

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Counsel for Defendant Wine.com, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 11, 2020, a copy of the foregoing was filed electronically using the Court's Case Management/Electronic Case Filing System (CM/ECF). Notice of and access to this filing will be provided to all parties through CM/ECF.

/s/ James A. King	
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