

Cause No. 141-307474-19

VICTOR MIGNOGNA	§	IN THE DISTRICT COURT
<i>Plaintiff,</i>	§	
	§	
v.	§	141 ST JUDICIAL DISTRICT
	§	
FUNIMATION PRODUCTIONS LLC,	§	
JAMIE MARCHI, MONICA RIAL, AND	§	
RONALD TOYE,	§	
<i>Defendants.</i>	§	TARRANT COUNTY, TEXAS

MOTION TO CONTINUE HEARING ON NOVEMBER 21, 2019

NOW COMES Plaintiff, Victor Mignogna, and files his *Motion to Continue Hearing on November 21, 2019* (“Motion”). In support thereof, Plaintiff would respectfully show the following:

1. Plaintiff asks the Court to continue the hearing currently scheduled for 10:30am on November 21, 2019 on Defendants’ several motions for attorney’s fees and sanctions. Plaintiff asks for this continuance on the grounds that more time is needed to sufficient

2. On November 21, 2019, the Court is scheduled to hear argument on three motions: (1) *Defendant Funimation Production, LLC’s Motion for Reasonable Attorney’s Fees, Costs and Sanctions*; (2) *Defendant Jamie Marchi’s Motion to Determine Sanctions and Attorney’s Fees*, and (3) *Monica Rial and Ron Toye’s Brief in Support of Sanctions and Attorney’s Fees Pursuant to the Texas Citizens Participation Act*. The Court has set aside two (2) hours to hear evidence and argument.

3. In striking simultaneity, all three of Defendants’ motions were filed on November 4, 2019. Collectively, they seek attorney’s fees and costs exceeding \$500,000. Additionally, each Defendant separately seeks sanctions against Plaintiff. Defendants’ motions, with their offered exhibits, totals 483 pages.

4. Plaintiff's counsel is obligated by law to adequately present objections and responses to these motions, a task that is currently underway. However, Plaintiff needs more time in order to adequately brief the Court on the myriad of objectionable time entries in each Defendant's billing.

5. Plaintiff therefore asks for a continuance of at least fourteen days.

6. Plaintiff seeks this continuance not for the sole purpose of delay, but so that justice may be done.

Dated: November 15, 2019

Respectfully submitted

BEARD HARRIS BULLOCK HUGHES and
MARTINEZ HSU

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ATTORNEYS FOR PLAINTIFF
VICTOR MIGNOGNA

CERTIFICATE OF CONFERENCE

A conference was held on November 15, 2019, with each of Defendants' attorneys, via email, on the merits of this motion. A reasonable effort has been made to resolve the dispute without the necessity of court intervention and the effort failed. Therefore it is presented to the Court for determination.



Ryan Sellers

CERTIFICATE OF SERVICE

I certify that on November 15, 2019, a true and correct copy of the foregoing document was served on all counsel of record in accordance with the Texas Rules of Civil Procedure.



Ryan Sellers

VERIFICATION

STATE OF TEXAS
TARRANT COUNTY

§
§

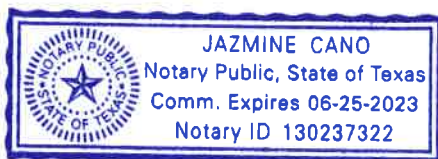
Before me, the undersigned notary, on this day personally appeared Ryan Sellers, the affiant, whose identity is known to me. After I administered an oath, affiant testified as follows:

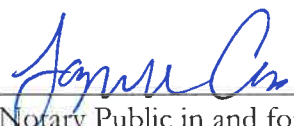
“My name is Ryan Sellers. I am capable of making this verification. I have read the Motion to Continue Hearing on November 21, 2019. The facts stated in it are within my personal knowledge and are true and correct.”



Ryan Sellers

Sworn to and subscribed before me by Ryan Sellers on November 15, 2019.





Notary Public in and for
the State of Texas
My commission expires: