

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HILDA L. SOLIS, SECRETARY OF LABOR,	:	
UNITED STATES DEPARTMENT OF LABOR,	:	
	:	Civil Action
Plaintiff,	:	
	:	No. 09-988
v.	:	
	:	
JOHN J. KORESKO, V, JEANNE BONNEY,	:	
PENN-MONT BENEFIT SERVICES, INC.,	:	
KORESKO & ASSOCIATES, P.C., KORESKO	:	
LAW FIRM, P.C., COMMUNITY TRUST	:	
COMPANY, PENN PUBLIC TRUST,	:	
REGIONAL EMPLOYERS ASSURANCE	:	
LEAGUES VOLUNTARY EMPLOYEES'	:	
BENEFICIARY ASSOCIATION TRUST, and	:	
SINGLE EMPLOYER WELFARE BENEFIT	:	
PLAN TRUST,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 23rd day of June, 2009, upon consideration of Defendant Jeanne Bonney's Second Motion for Extension of Time to File Answer to Complaint (Doc. No. 51) and Plaintiff's Response thereto (Doc. No. 52), it is hereby ORDERED that Defendant's Motion is DENIED. It is FURTHER ORDERED that Ms. Bonney and the other Koresko Defendants shall file their joint response to Plaintiff's Complaint forthwith.

BY THE COURT:

S/ C. Darnell Jones II

J.

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REGIONAL EMPLOYERS ASSURANCE	:	
LEAGUES VOLUNTARY EMPLOYEES'	:	
BENEFICIARY ASSOCIATION TRUST, and	:	
SINGLE EMPLOYER WELFARE BENEFIT	:	
PLAN TRUST,	:	
	:	
Defendants	:	

MEMORANDUM

Jones, J.

June 23, 2009

Before the court is Defendant Jeanne Bonney's Second Motion for Extension of Time to File Answer to Complaint (Doc. No. 51) and Plaintiff's Response thereto (Doc. No. 52).

Defendant's Motion will be denied for the reasons set forth below.

Ms. Bonney was served with the Complaint in this matter on April 1, 2009. On April 20, 2009, she filed a Motion for Extension of Time to File her Answer. In an April 23, 2009, Order, this court granted that Motion and specifically ordered Ms. Bonney to respond to the Complaint by May 21, 2009. Ms. Bonney filed the instant Second Motion for Extension of Time to File Answer to Complaint on June 11, 2009 – three weeks after her deadline.

After review of evidence that various Koresko Defendants other than Ms. Bonney had

been refusing to accept service by a process server, the court entered a May 20, 2009, Order permitting Plaintiff to serve the Complaint upon the remaining Koresko Defendants by mail. Per the process receipts filed of record, Plaintiff effected said service on May 28, 2009, and the last of the Koresko Defendants were deemed served on that date. The Koresko Defendants' deadline to respond to the Complaint was June 17, 2009. That date has passed, and none of the Koresko Defendants has filed a response.

The court finds that a brief extension of Ms. Bonney's response deadline is justified in order for Ms. Bonney and the Koresko Defendants to file joint response if they choose to do so. However, the court holds that the Koresko Defendants' appeal of this court's denial of their motions to seal the case and for injunctive relief does not divest this court of jurisdiction over this case and does not excuse the Koresko Defendants with their obligation to file a timely response to Plaintiffs' Complaint.

The court shall not entertain any further motions for extension of time to answer the Complaint in this matter. The Koresko Defendants are cautioned that any other dilatory tactics may result in the imposition of sanctions.

An appropriate Order follows.