IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA

GILBERT P. HYATT, Plaintiff, v. MICHAEL R. CAPUTO d/b/a MICHAEL CAPUTO PUBLIC RELATIONS, et al., Defendants.	Case No. 1:26-cv-003505-RDM

PLAINTIFF'S RESPONSE TO DEFENDANT MICHAEL R. CAPUTO'S MOTION FOR EXTENSION OF TIME TO RESPOND TO THE AMENDED COMPLAINT

Plaintiff Gilbert P. Hyatt ("Plaintiff"), by and through undersigned counsel, hereby files this Response to Defendant Michael R. Caputo's Motion for Extension of Time to Respond to the Amended Complaint (ECF No. 4). Plaintiff does not oppose an extension but respectfully submits that 30 days is a more reasonable extension than the 60-day extension Defendant Caputo requests. In support of this Response, Plaintiff states as follows:

1. On September 8, 2026, Plaintiff filed an Amended Complaint in the Superior Court for the District of Columbia naming Michael R. Caputo d/b/a Michael Caputo Public Relations ("Defendant Caputo"), and others as defendants in a civil action alleging breach of contract, among other claims in case number 2026-CAB-006262.

2. On September 14, 2026, Defendant Caputo was served with a copy of the Amended Complaint, Summons, and Initial Order in 2026-CAB-006262. Approximately three weeks later, on October 5, 2026, Defendant Caputo filed a Notice of Removal and Statement of Grounds in this Court.

3. Prior to the filing of the Amended Complaint, Defendant Caputo was placed on notice of the potential legal dispute between himself and Plaintiff through a series of demand letters and preservation requests that went unanswered, as partly described in the Amended Complaint.

4. For example, on January 22, 2026, Defendant Caputo was sent a letter via email requesting the delivery of certain files and documents created pursuant to the contract entered into between Plaintiff and Defendant Caputo. *See* Compl. ¶ 218. Defendant Caputo responded by directing any further communications to his purported attorney. *Id.*

5. On February 11, 2026, a litigation hold and preservation letter was sent to Defendant Caputo's purported attorney via email in relation to the breach of contract alleged. *See* Compl. ¶ 219. No response to this letter or confirmation of receipt was received. *Id.*

6. On June 22, 2026, a final demand letter was sent to Defendant Caputo via Federal Express and email requesting, among other things, a full accounting of records created pursuant to the contract entered into between Plaintiff and Defendant Caputo. No response to this letter or confirmation of receipt was ever received.

7. Plaintiff has no objection to a reasonable extension of time to allow Defendant Caputo to retain counsel and respond to the Amended Complaint. However, Plaintiff respectfully submits that a 30-day extension is more than sufficient given the amount of time Defendant Caputo has been on notice of the contractual dispute.

8. For these reasons, Plaintiff requests that if the Court grants Defendant Caputo's motion to extend time for him to respond to the Complaint, the Court limit the extension to 30 days.

WHEREFORE, Plaintiff respectfully requests that the Court **GRANT** in part and **DENY** in part Defendant Caputo's Motion for Extension of Time to Respond to the Amended Complaint.

Dated: October 16, 2026

Respectfully submitted,

FOLEY & LARDNER LLP

By: */s/ Jack Korba*
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2026, I electronically filed the foregoing Response to Defendant Michael R. Caputo's Motion for Extension of Time to Respond to the Amended Complaint via electronic mail and by using the Court's CM/ECF System which will provide electronic notice to all counsel of record.

/s/ John F. Korba
John F. Korba, Esq.