

IN THE SUPREME COURT OF MISSISSIPPI

NO.

vs

**MOTION FOR CONTINUANCE TO COMPLETE DISCOVERY OR IN  
THE ALTERNATIVE CONTINUANCE OF SUMMARY JUDGMENT MOTION**

COME NOW, the Plaintiffs, \_\_\_\_\_ and \_\_\_\_\_, and files this their Motion for Continuance and as grounds therefore would show that there has not been adequate time to respond to the motion at this time or in the alternative continued until the pending depositions can be taken, and would further show unto the Court as follows:

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That lead counsel, \_\_\_\_\_ did not received the Motion for Summary Judgment filed by the defendants until \_\_\_\_\_, \_\_\_\_\_.

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That a discovery deposition was noticed on \_\_\_\_\_, \_\_\_\_\_, by the plaintiffs, and a Motion for Protective Order was filed by the defendant, which is pending at this time. That the said deposition will enable the plaintiff to rebut the defendant's claimed showing absence of a genuine issue of fact. That the plaintiffs' contend fraud the inducement on the part of the defendant and that the plaintiffs would be entitled to this discovery to show fraud in the inducement which has been placed in issue by the defendant's denial of wrongdoing.

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That the deposition would be relevant to the issues of fraud in the inducement to establish a scheme or practice and the motive of the corporate defendant in conducting it's underwriting practices as was done in this case.

WHEREFORE, PREMISES CONSIDERED, the plaintiffs' request that the Motion for Summary Judgment be denied on account of there not being adequate time to conduct discovery or in the alternative continued until reasonable discovery can be conducted.

Submitted, this the \_\_\_\_\_ day of \_\_\_\_\_.

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By:  
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

This is to certify that I, \_\_\_\_\_, have this date delivered the above and foregoing, MOTION FOR SUMMARY JUDGMENT BE DENIED OR IN THE ALTERNATIVE CONTINUED, PURSUANT TO RULE 56(f), by placing same in the United States Mail, postage pre-paid, to \_\_\_\_\_ at their usual mailing address, which is