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LICENSED IN MICHIGAN, MARYLAND, ARIZONA AND D.C.

October 8, 2014

**Via ECF only**

Hon. George Jarrod Hazel  
U.S. District Court for the District of Maryland, Southern Division  
6500 Cherrywood Lane  
Greenbelt, MD 20770

**Re: *Kimberlin v. National Bloggers Club, et al.*, Case No. GJH-13-3059**

Dear Judge Hazel:

On behalf of Defendants Michelle Malkin and Twitchy, I write in response to the Joint Request for Deadline Extension (ECF 204) filed this afternoon by defendants Frey, Nagy, and Ace of Spades, and plaintiff Kimberlin. Mrs. Malkin and Twitchy oppose any extension of Mr. Kimberlin's response date.

Mr. Kimberlin in mid-July sought and was given permission to file by October 15 an omnibus response to the motions to dismiss, including ECF 140, the motion of Mrs. Malkin and Twitchy. ECF 162, pg. 3. This was a generous grant of time that should be more than sufficient. The Second Amended Complaint plainly is meritless, as the motions discuss, yet for nearly a year Mr. Kimberlin has been able to put Mrs. Malkin and Twitchy to the expense and burden of having to continue as defendants, despite their having promptly filed what is by rule a preliminary motion. Now he seeks another month, and doubtless will request more if Ace of Spades moves to dismiss in lieu of answering.

Mr. Kimberlin is misusing his *pro se* status to prejudice Mrs. Malkin and Twitchy, and thus they object to the extension request. They do not oppose Ace of Spades' request.

Thank you for your consideration of this matter.

Very truly yours,

THE SMITH APPELLATE LAW FIRM

/s/

Michael F. Smith

cc: (via ECF) All counsel of record  
(via email, per consent): Defendants Hoge, McCain, and Walker  
(via first-class mail) Plaintiff Kimberlin