

16. The courts in reviewing denials of motions for continuance consider multiple factors, such, as "whether the denial of the motion results in the movant suffering an injustice; whether the underlying cause for the motion was unforeseen; whether the motion is based on dilatory tactics; and whether assuming the motion was granted, the opposing party would be prejudiced." *Daher v. Pacha NYC*, 194 So. 3d 456, (Fla. 3d DCA 2016). In the instant case, Respondent would be suffering an injustice if the continuance is not granted, the circumstances related to Respondent's technical issues were unforeseen, the motion is not based on dilatory tactics, and the opposing party would not be prejudiced with a continuance.

17. Based on the foregoing, Respondent hereby requests that a continuance be granted as to the discovery deadlines, as well as the trial date.

Respectfully submitted by Respondent this 17th day of February, 2022.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was provided to all parties of record via the E-Portal filing system on this 17th day of February, 2022.

/s/ Melanie L. Johnson
Melanie L. Johnson

RECEIVED, 02/17/2022 05:46:24 PM, Clerk, Supreme Court