

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

EMIL BAYKO aka EMIL T BAYKO §
and RUTH BAYKO aka RUTH A §
BAYKO, §
§
Plaintiffs, §
§
v. §
§
ZIONS BANCORPORATION, N.A., §
SUCCESSOR BY MERGER AND §
NAME CHANGE TO AMEGY BANK, §
§
Defendants. §

CIVIL ACTION NO. 4:24-cv-00323

**AGREED MOTION TO EXTEND SUBMISSION DATE AND THE PARTIES’
SUMMARY JUDGMENT BRIEFING DEADLINES**

Plaintiffs Emil Bayko a/k/a Emil T. Bayko, Ruth Bayko a/k/a Ruth A. (collectively, “Plaintiffs”) and Defendant Zions Bancorporation, N.A., successor by merger and name change to Amegy Bank (“Defendant”) file this Agreed Motion to Extend Submission Date and the Parties’ Summary Judgment Briefing Deadlines, and would respectfully show the Court as follows:

Defendant filed the following two motions for summary judgment on January 22, 2025: (1) Zions Bancorporation, N.A.’s Motion for Summary Judgment on Plaintiffs’ Claims [Dkt. No. 17]; and (2) Zions Bancorporation, N.A.’s Motion for Summary Judgment on Counterclaims Against Emil Bayko & Ruth Bayko [Dkt. No. 18] (collectively, the “Motions.”).

The submission date for these motions is currently set for February 12, 2025. Accordingly, Plaintiffs’ deadline to respond to these motions is February 12, 2205, and Defendant’s deadline to

reply to Plaintiffs' responses is February 19, 2025.

The parties request a short, three-week extension of the submission date for the Motions, inclusive of Plaintiffs' deadline to respond to the Motions, and Defendant's subsequent reply briefs as follows:

Submission Date: March 5, 2025

Plaintiffs' Response Date: March 5, 2025

Defendant's Reply Date: March 28, 2025

The extensions requested herein have been agreed to by the parties. This is the first requested extension by either of the parties in connection with the Motions' submission date and attendant briefing schedule.

This requested extension is made in good faith, not for purposes of delay, and will not prejudice either party or adversely impact any other current case deadlines.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request that the Court grant this agreed motion and extend the submission date for the Motions to March 5, 2025, Plaintiffs' deadline to respond to the Motions up to and including March 5, 2025, and Defendant's deadline to reply to Plaintiffs' responses up to and including March 28, 2025.

Respectfully submitted this the 4th day of February 2025.

By: s/ Stephen W. Abbott

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CERTIFICATE OF CONFERENCE

To the extent this certificate is necessary, the undersigned hereby certifies that on February 4, 2025, counsel conferred by email and agreed to the requested extension of deadlines set forth in the instant motion.

s/ Stephen W. Abbott
Stephen W. Abbott

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 4, 2025, a true and correct copy of the foregoing was served electronically via the CM/ECF system in accordance with the Federal Rules of Civil Procedure.

s/ Stephen W. Abbott
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