

**CAUSE NO. DC-23-04594**

**RITO DURAN TORRES**  
**Plaintiff,**

**v.**

**JGLUNA CONSTRUCTION, LLC,**  
**ICB CONSTRUCTION, LLC,**  
**ECM DEVELOPMENT, LLC,**  
**ECHELON SFR OWNER, LLC AND**  
**ECHELON SFR INVESTOR**  
**HOLDINGS, LLC,**  
**Defendants**

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**IN THE DISTRICT COURT**

**101ST JUDICIAL DISTRICT**

**DALLAS COUNTY, TEXAS**

**AGREED MOTION FOR CONTINUANCE**

Plaintiff, Rito Duran Torres and Defendants, JGLuna Construction, LLC, ICB Construction, LLC, ECM Development, LLC, Echelon SFR Owner, LLC and Echelon SFR Investor Holdings, LLC, file this *Agreed Motion for Continuance*, and would respectfully show the Court as follows:

**INTRODUCTION & BACKGROUND**

1. This is a personal injury case in which Plaintiffs are seeking the recovery of damages against multiple Defendants arising out of an incident that took place at a construction site.
2. This case is currently set for trial on October 14, 2024.
3. The Parties are seeking a continuance of the current trial date and extension of all case deadlines to allow time for the Parties to conduct additional necessary discovery, including the taking of expert depositions and medical provider depositions.
4. The Parties believe that after completing the additional discovery they are seeking time to complete, they will be able to participate in meaningful mediation. The additional discovery will allow for the best opportunity for the Parties to mediate and attempt to settle this matter

before incurring the time, cost and risk of trial.

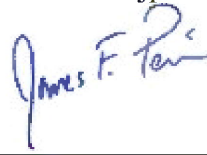
5. This is the Parties first Motion for Continuance in this matter.
6. Additionally, Plaintiff's Counsel is currently set for trial in Lubbock County, Texas on October 14, 2024, in Cause No. DC-2022-CV-1074; Jose Refugio Garcia v. Odessa Wings, Ltd. d/b/a Buffalo Wild Wings, BWWGP, Inc., and Buffalo Wild Wings, Inc. in the 72<sup>nd</sup> District Court of Lubbock County, Texas
7. For the reasons set forth above, the Parties respectfully note this continuance is not sought for delay, but so justice may be done for all Parties.

### **PRAYER**

For the foregoing reasons, Plaintiffs, Rito Duran Torres, and Defendants, JGLuna Construction, LLC, ICB Construction, LLC, ECM Development, LLC, Echelon SFR Owner, LLC and Echelon SFR Investor Holdings, LLC, request that the Court continue this case from its October 14, 2024, trial docket, rest the case and enter a Level Three Scheduling Order . The Parties seek all other and further relief, both special and general, at law and in equity, to which they may be justly entitled.

Respectfully submitted,

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ECM Development, LLC, Echelon SFR Owner, LLC and  
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### Automated Certificate of eService

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Filing Code Description: Motion - Continuance  
Filing Description: AGREED  
Status as of 9/17/2024 9:18 AM CST

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Associated Case Party: ECHELON SFR INVESTOR HOLDINGS, LLC

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