

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**

**MOTION FOR CONTINUANCE OF HEARING ON DEFENDANTS' SUMMARY**

**JUDGMENT**

Plaintiff, Rito Duran Torres files this Motion for Continuance of Hearing on Defendant's Summary Judgment, 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 February 3, 2025.
3. Defendants IBC Construction, LLC, ECM Development, LLC, Echelon SFR Owner, LLC and Echelon SFR Investor Holdings, LLC, filed a motion for summary judgement on August 16, 2024
4. Defendants' motion is currently set for December 19, 2024
5. Plaintiff's response to Defendants' motion is due on December 12, 2024.
6. Plaintiff is seeking a continuance of the hearing on Defendants' Motion for Summary Judgement that is currently scheduled for December 19, 2024. The parties have scheduled the

Plaintiff's deposition and a corporate representative deposition for December 16, 2024.

7. The Parties are currently conducting meaningful discovery that is needed to properly prepare for trial, mediation and to address many of the issues and arguments made in Defendants' Motion for Summary Judgment. However, additional time is needed in order to conduct additional and necessary discovery.
8. Additionally, the Parties just filed an Agreed Motion for Entry seeking a Level 3 Scheduling Order and a new trial date.

### **PRAYER**

For the foregoing reasons, Plaintiffs, Rito Duran Torres requests that the Court continue hearing from its December 19, 2024. 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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By: \_\_\_\_\_

James F. Perrin  
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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF CONFERENCE**

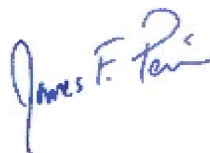
Plaintiff's counsel has conferred with Defense counsel regarding this matter. Defense counsel has stated that he would agree to continuing the hearing if the Court was able to provide a later date for the hearing or if the Parties were obtaining a new scheduling order and trial date, pursuant to the recent agreed motion that was filed.



\_\_\_\_\_  
JAMES PERRIN

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was electronically delivered to all counsel of record this 12th of December 2024.



\_\_\_\_\_  
JAMES F. PERRIN

## Automated Certificate of eService

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James Perrin on behalf of James Perrin

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Filing Description: RE: DEFENDANTS SUMMARY JUDGMENT

Status as of 12/12/2024 4:08 PM CST

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