

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
WINCHESTER DIVISION**

FARM CREDIT MID-AMERICA, PCA,	)	
	)	
Plaintiff,	)	Case No. 4:25-cv-38
	)	
v.	)	Judge Atchley
	)	
UNCLE NEAREST, INC., et al.,	)	Magistrate Judge Steger
	)	
Defendants.	)	

**RECEIVER’S THIRD UNOPPOSED MOTION TO EXTEND DEADLINE TO
RESPOND TO PLAINTIFF’S MOTION TO DISMISS COUNTERCLAIM**

COMES NOW the court-appointed receiver herein, Phillip G. Young, Jr. (“Receiver”), by and through undersigned counsel, and respectfully moves this Court for an additional extension of time to respond to Plaintiff Farm Credit Mid-America, PCA’s Motion to Dismiss the Counterclaim (Doc. 229) (the “Motion to Dismiss”) from October 15, 2026, to November 16, 2026, and in support thereof states as follows:

On July 17, 2026, Plaintiff filed its Motion to Dismiss the Counterclaim brought by Defendants/Counter-Plaintiffs Uncle Nearest, Inc., Nearest Green Distillery, Inc., and Uncle Nearest Real Estate Holdings, LLC (collectively “Uncle Nearest” or “the Company”), by and through the Receiver. On August 10, 2026, the Court granted the Receiver’s *Unopposed Motion to Extend Deadline to Respond to Plaintiff’s Motion to Dismiss Counterclaim* extending the deadline to respond to Plaintiff’s Motion through September 11, 2026, [Doc. 239]. On September 17, 2026, the Court granted the Receiver’s *Second Unopposed Motion to Extend Deadline to Respond to Plaintiff’s Motion to Dismiss Counterclaim* extending the deadline to respond to Plaintiff’s Motion through October 15, 2026, [Doc. 239]

The Receiver respectfully requests that the Court grant an additional extension to respond to Plaintiff's Motion from November 16, 2026. This extension will afford the Receiver and his counsel additional time to thoroughly review the Motion to Dismiss and prepare a comprehensive response and to continue to work with Plaintiff towards a potential resolution of this case.

The Receiver's counsel has conferred with counsel for Plaintiff Farm Credit Mid-America, PCA regarding this Motion. Counsel for Plaintiff has advised counsel for the Receiver that Plaintiff does not oppose the relief requested in this Motion.

WHEREFORE, the Receiver respectfully requests that the Court grant this Motion and extend the deadline to respond to Plaintiff's Motion to Dismiss the Counterclaim (Doc. 229) from October 15, 2026, to November 16, 2026.

Dated this 15th day of October, 2026.

By: /s/ John P. Nefflen
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Counsel for Receiver

CERTIFICATE OF SERVICE

I hereby certify that on the date noted below, a true and correct copy of the foregoing *RECEIVER'S THIRD UNOPPOSED MOTION TO EXTEND DEADLINE TO RESPOND TO PLAINTIFF'S MOTION TO DISMISS COUNTERCLAIM* below was filed and served via the Court's CM/ECF system upon all parties requesting service in the above-listed case.

Dated: October 15, 2026

/s/ John P. Nefflen
John P. Nefflen