

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

NATIONAL RIFLE ASSOCIATION)	
OF AMERICA, INC., DR. KATHRYN TYLER,)	
VAN F. WELTON,)	
and BRETT BENSON,)	
)	
Plaintiffs,)	
)	
vs.)	No. 08 CV 3697
)	
)	Judge Milton I. Shadur
THE CITY OF CHICAGO,)	
)	
Defendant.)	

**DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE CROSS-BRIEFS REGARDING PREVAILING PARTY STATUS**

Defendant City of Chicago (the “City”), by its attorney, Mara S. Georges, Corporation Counsel for the City of Chicago, respectfully requests that the Court grant the parties an extension of time within which to file their cross memoranda regarding prevailing party status for purposes of attorneys’ fees, up to and including December 15, 2010. In support thereof, the City states as follows:

1. On October 26, 2010, the parties appeared before the Court on Plaintiffs’ Motion for Entry of Schedule for Motion for Attorneys’ Fees. Also appearing before the Court were the parties to *NRA, et al. v. Village of Oak Park, et al.*, Case No. 08- cv-3696, wherein Plaintiff NRA had filed an identical motion for entry of schedule for motion for attorneys’ fees.

2. At that time, the Court determined that it would be prudent to resolve the issue of prevailing party status first, before entering a schedule consistent with Local Rule 54.1, namely, setting deadlines for the exchange of certain billing information, the parties to confer regarding

objections, and the preparation of a joint statement regarding the fee request.

3. The Court determined that the parties should file simultaneous cross briefs on the issue of prevailing party status, to be filed on or before November 23, 2010. The Court set a status for November 29, 2010, and entered and continued Plaintiffs' motion for entry of schedule for motion for attorneys' fees.

4. Due to the workloads and upcoming absences of the City attorneys working on this matter – including scheduled medical absences by the undersigned attorney Rebecca Hirsch – it will not be feasible for the City to adequately prepare and file its brief by November 23. The City therefore requests that the parties be given an additional three weeks, up to and including December 15, to file such memoranda.

5. Counsel for the City conferred with counsel for Plaintiffs on November 5 regarding this request for extension, and Plaintiffs' counsel stated that they had no objection.

6. Accordingly, the City requests that the Court grant an extension of time up to and including December 15, 2010, for the parties in both this case and Case No. 08-3696 to file their cross briefs regarding prevailing party status.

7. The City also requests that the Court strike the status hearing scheduled for November 29 and reset it for December 21, after the parties have filed their memoranda, and further enter and continue Plaintiffs' motion for entry of schedule for motion for attorneys' fees.

WHEREFORE, the City respectfully requests that the Court grant this extension of time for the parties to file their cross memoranda regarding prevailing party status, up to and including December 15, and that the Court strike the status hearing set for November 29 and reset it for December 21.

Respectfully submitted,

Mara S. Georges, Corporation Counsel for
the City of Chicago

By: /s/ Rebecca Alfert Hirsch
Assistant Corporation Counsel

Michael A. Forti
Mardell Nereim
Andrew W. Worseck
William Macy Aguiar
Rebecca Alfert Hirsch
City of Chicago Department of Law
Constitutional and Commercial Litigation Division
30 N. LaSalle Street, Suite 1230
Chicago, IL 60602
(312) 742-0260

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