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

Defendant Village of Oak Park (“Oak Park”) joins the City of Chicago’s (the “City”) Unopposed Motion for Extension of Time to File Briefs Regarding Prevailing Party Status, filed concurrently in *National Rifle Association of America, Inc., et al. v. City of Chicago*, No. 08 CV 3697, also pending before this Court. Oak Park, like the City and in consultation with Plaintiffs in both the instant action (No. 08 CV 3696) and the action pending against the City (No. 08 CV 3697), respectfully requests that the Court grant all 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, Oak Park 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 *National Rifle Association of America, Inc., et al. v. City of Chicago*, No. 08 CV 3697, 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, as described at greater length in the City's Unopposed Motion for Extension of Time to File Briefs Regarding Prevailing Party Status, 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 Oak Park and Plaintiffs on November 5 regarding this request for extension, and Plaintiffs' counsel stated that they had no objection. Plaintiffs' counsel further stated and Oak Park agreed that it would be prudent to keep the briefing in the instant action on the same schedule as the briefing in *National Rifle Association of America, Inc., et al. v. City of Chicago*, No. 08 CV 3697. Doing so will allow Oak Park and the City to coordinate briefing to the extent that there are common arguments, both minimizing duplicative briefing to the Court and the reasonable effort Plaintiffs' counsel may expend responding to such briefing.

6. Accordingly, Oak Park 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. 08-3697 to file their

cross briefs regarding prevailing party status.

7. Oak Park 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, Oak Park 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,

The Village of Oak Park

By: /s/ Ranjit Hakim
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