

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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DICK ANTHONY HELLER, <i>et al.</i> ,))	
))	
Plaintiffs,))	
))	Civil Action No. 08-01289 (JEB)
v.))	
))	
DISTRICT OF COLUMBIA, <i>et al.</i> ,))	
))	
Defendants.))	
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**DEFENDANT DISTRICT OF COLUMBIA’S
UNOPPOSED MOTION FOR AN EXTENSION OF TIME
AND TO MODIFY THE BRIEFING SCHEDULE**

Pursuant to Fed. R. Civ. P. 6(b)(1) and 7(b), Defendant the District of Columbia (the “District”) hereby moves this Honorable Court to modify the briefing schedule issued by the Court on October 31, 2013, by extending each of the remaining deadlines by approximately one week, as follows:

1. The District shall file its Reply to Plaintiffs’ Opposition and oppose Plaintiffs’ Cross-Motion on or before January 15, 2014;
2. Plaintiffs shall reply to the District’s Opposition on or before February 3, 2014.

The District’s Memorandum of Points and Authorities in support of this request is attached hereto and incorporated by reference herein. A proposed Order also is attached hereto.

Pursuant to LCvR 7(m), the undersigned counsel discussed the instant motion by electronic mail on January 2, 2014, with opposing counsel, and are advised that Plaintiffs do not oppose the relief requested herein.

WHEREFORE, the District respectfully requests that this Honorable Court:

- A. Grant the District's Consent Motion for an Extension of Time and to Modify the Briefing Schedule, and
- B. Grant the District such other and further relief as the nature of its cause may require.

Dated: January 2, 2014

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**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
DEFENDANT DISTRICT OF COLUMBIA’S UNOPPOSED MOTION
FOR AN EXTENSION OF TIME AND TO MODIFY THE BRIEFING SCHEDULE**

Defendant the District of Columbia (the “District”), by and through undersigned counsel, respectfully submits this Memorandum of Points and Authorities in Support of its Motion for an Extension of Time and to Modify the Briefing Schedule, pursuant to Fed. R. Civ. P. 6(b)(1) and 7(b). A proposed Order is attached hereto.

In support of the instant motion, and for its good cause shown, the District states as follows:

1. Pursuant to a Minute Order, dated October 31, 2013, the Court ordered that: (1) The District shall file its Motion for Summary Judgment on or before November 5, 2013; (2) Plaintiffs shall oppose the District's Motion and file their own Cross-Motion for Summary Judgment on or before December 10, 2013; (3) the District shall file its Reply to Plaintiffs’ Opposition and oppose Plaintiffs' Cross-Motion on or before January 8, 2014; (4) Plaintiffs shall reply to the District's Opposition on or before January 24, 2014.

2. In accordance with the above schedule, the District filed its Motion for Summary Judgment on November 5, 2013, and Plaintiffs opposed the District's Motion and filed their own Cross-Motion for Summary Judgment on December 10, 2013.

3. As a result of recent competing professional obligations on the part of the District's counsel, as well as the intervening holidays, the District submits that it needs a one-week extension of time to file its Reply to Plaintiffs' Opposition and Opposition to Plaintiffs' Cross-Motion.

4. There is no prejudice to the Plaintiffs in this brief extension. Indeed, in order to accommodate the requested extension, the District has agreed to provide Plaintiffs until February 3, 2014, to reply to the District's Opposition. As a result, counsel for the Plaintiffs does not oppose to the relief sought herein.

5. The extension of time requested in this motion is not sought for any improper purpose, but to insure that there is an efficient and workable schedule in place to complete briefing with respect to the parties' dispositive motions.

6. The District submits that the above represents good cause for the requested enlargement of time under Fed. R. Civ. P. 6(b)(1).

7. Based on the above, the District respectfully requests that this Honorable Court enter an order pursuant to Fed. R. Civ. P. 6(b)(1), to amend the briefing schedule such that each of the remaining deadlines are extended by approximately one week, as detailed herein.

DATE: January 2, 2014

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Counsel for Defendants

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ORDER

Upon consideration of the Defendant the District of Columbia's Unopposed Motion for Extension of Time and to Modify the Briefing Scheduling, it is hereby:

ORDERED that the motion is **GRANTED**, and it is further

ORDERED the District shall file its Reply to Plaintiffs' Opposition and oppose Plaintiffs' Cross-Motion on or before January 15, 2014; and

ORDERED Plaintiffs shall reply to the District's Opposition on or before February 3, 2014.

JAMES E. BOASBERG
UNITED STATES DISTRICT JUDGE

Copies to:
Counsel for Parties via ECF