

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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TOM G. PALMER, <i>et al.</i>))	
))	
Plaintiffs,))	
))	
v.))	Civil Action No. 09-01482 (HHK)
))	
DISTRICT OF COLUMBIA, <i>et al.</i> ,))	
))	
Defendants.))	
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CONSENT MOTION FOR EXTENSION OF TIME TO REPLY

Pursuant to Fed. R. Civ. P. 6(b)(1) and 7(b), defendants (collectively, “the District”) hereby move this Honorable Court to enlarge the time for the District to file its Reply from September 30, 2009 to October 7, 2009. The District’s Memorandum of Points and Authorities in support hereof 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 with opposing counsel, who consented to the relief requested herein.

WHEREFORE, the District respectfully requests that this Honorable Court:

A. Grant the District’s Consent Motion for Extension of Time to Reply to October 7, 2009, and

B. Grant the District such other and further relief as the nature of its cause may require.

DATE: September 30, 2009

Respectfully submitted,

PETER J. NICKLES
Attorney General for the District of Columbia

GEORGE C. VALENTINE
Deputy Attorney General, Civil Litigation Division

/s/ Ellen A. Efros

ELLEN A. EFROS, D.C. Bar No. 250746
Chief, Equity Section I
441 Fourth Street, N.W., 6th Floor South
Washington, D.C. 20001
Telephone: (202) 442-9886
Facsimile: (202) 727-0431

/s/ Andrew J. Saindon

ANDREW J. SAINDON, D.C. Bar No. 456987
Assistant Attorney General
Equity I Section
441 Fourth Street, N.W., 6th Floor South
Washington, D.C. 20001
Telephone: (202) 724-6643
Facsimile: (202) 727-0431
andy.saindon@dc.gov

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Defendants.)	
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MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF
THE DISTRICT’S CONSENT MOTION FOR EXTENSION OF TIME TO REPLY

Defendants the District of Columbia and Chief Cathy Lanier (collectively “the District”), by and through undersigned counsel, respectfully submit this Memorandum of Points and Authorities in Support of their Consent Motion for Extension of Time to Reply, 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. On or about September 23, 2009, plaintiffs filed their Opposition to the District’s Motion for Summary Judgment.
2. Pursuant to LCvR 7(d), the District’s reply is due on or before September 30, 2009.
3. Fed. R. Civ. P. 6(b)(1) permits an enlargement of time, such as that requested herein, “if a request is made, before the original time or its extension expires . . .” for good cause.
4. The District avers that, due to computer-network and staffing problems, the brief enlargement sought here is necessary to prepare a suitable response to the Opposition and obtain supervisory review.

5. This enlargement is not sought for any improper purpose, but to complete an appropriate submission for consideration by this Court. No party will be prejudiced, and the brief extension requested here will have no effect on any other deadlines. Moreover, opposing counsel has consented to the relief requested herein.

6. 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 schedule such that the District's Reply is due on or before October 7, 2009.

DATE: September 30, 2009

Respectfully submitted,

PETER J. NICKLES
Attorney General for the District of Columbia

GEORGE C. VALENTINE
Deputy Attorney General, Civil Litigation Division

/s/ Ellen A. Efros
ELLEN A. EFROS, D.C. Bar No. 250746
Chief, Equity Section I
441 Fourth Street, N.W., 6th Floor South
Washington, D.C. 20001
Telephone: (202) 442-9886
Facsimile: (202) 727-0431

/s/ Andrew J. Saindon
ANDREW J. SAINDON, D.C. Bar No. 456987
Assistant Attorney General
Equity I Section
441 Fourth Street, N.W., 6th Floor South
Washington, D.C. 20001
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