

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
TOM G. PALMER, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 09-01482 (HHK)
)	
DISTRICT OF COLUMBIA, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

CONSENT MOTION TO ENLARGE TIME TO RESPOND

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 respond to the instant Complaint from August 26, 2009 to September 9, 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 to Enlarge Time to Respond to September 9, 2009, and

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

DATE: August 18, 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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<hr/>)	
TOM G. PALMER, <i>et al.</i>))	
))	
Plaintiffs,))	
))	
v.))	Civil Action No. 09-01482 (HHK)
))	
DISTRICT OF COLUMBIA, <i>et al.</i> ,))	
))	
Defendants.))	
<hr/>)	

MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF
THE DISTRICT’S CONSENT MOTION TO ENLARGE TIME TO RESPOND

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 to Enlarge Time to Respond, 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 August 6, 2009, plaintiffs served on the Mayor the instant Complaint, challenging a provision of the District’s gun-control laws.
2. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), the District’s answer or other response is due on or before August 26, 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 opposing counsel has indicated an imminent intent to file a dispositive motion focusing on the strictly legal issues in dispute here. In light of the

undersigned's schedule, the brief enlargement sought here is necessary to review and investigate the Complaint and prepare an appropriate response.

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 response to the Complaint is due on or before September 9, 2009.

DATE: August 18, 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