

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 (FJS)
	)	)	
DISTRICT OF COLUMBIA, <i>et al.</i> ,	)	)	
	)	)	
Defendants.	)	)	
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DEFENDANTS’ CONSENT MOTION FOR EXTENSION OF TIME

Pursuant to Fed. R. Civ. P. 6(b)(1) and 7(b), defendants the District of Columbia and Metropolitan Police Chief Cathy Lanier move this Honorable Court to enlarge the time for the defendants to file their Opposition to Plaintiffs’ Motion for Attorney Fees and Costs, from August 29, 2014 to September 29, 2014. The defendants’ Memorandum of Points and Authorities in support hereof is attached hereto and incorporated by reference herein. A proposed Order is also attached hereto.

Pursuant to LCvR 7(m), the undersigned discussed the subject motion with opposing counsel, who consented to the relief requested herein.

WHEREFORE, the defendants respectfully request that this Honorable Court:

- A. Grant the defendants’ Consent Motion for Extension of Time; and
- B. Grant the defendants such other and further relief as the nature of their cause may require.

DATE: August 25, 2014

Respectfully submitted,

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Attorney General for the District of Columbia

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Deputy Attorney General  
Public Interest Division

/s/ Grace Graham

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MEMORANDUM OF POINTS AND AUTHORITIES  
IN SUPPORT OF  
DEFENDANTS’ CONSENT MOTION FOR EXTENSION OF TIME

Defendants the District of Columbia and 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, 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 their good cause shown, the defendants state as follows:

1. On August 12, 2014, plaintiffs filed their Motion for Attorney Fees and Costs. Pursuant to LCvR 7(b), the District’s opposition is due on or before August 29, 2014.
2. 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.
3. The District avers that the time for it to note an appeal has not yet run, and additional events will occur in the interim, hence the motion for fees and costs is premature. For instance, the Court has yet to rule on the full extent of the District’s request for a stay, and the District’s motion for reconsideration will be filed later today. The Court’s rulings on these matters,

regardless of outcome, will effect plaintiffs' ultimate entitlement to fees, if for no other reason than plaintiffs' counsel will prepare and file additional briefs.

4. This enlargement is not sought for any improper purpose, but to allow impending events to play out and the litigation to reach a natural stopping point. No party will be prejudiced, and the brief extension requested here will have no effect on any other deadlines. Indeed, the Court has stayed the matter until at least October 22, 2014. Moreover, opposing counsel has consented to the relief requested herein.

5. 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 defendants' Opposition to Plaintiffs' Motion for Attorney Fees and Costs is due on or before September 29, 2014.

DATE: August 28, 2014

Respectfully submitted,

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