

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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CITIZENS FOR RESPONSIBILITY))	
AND ETHICS IN WASHINGTON,))	
))	
Plaintiff,))	Civil Action No. 08-1046 (JDB)
))	
v.))	
))	
U.S. DEPARTMENT OF))	
HOMELAND SECURITY,))	
))	
Defendant.))	
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**DEFENDANT’S CONSENT MOTION FOR A BRIEF EXTENSION OF TIME TO FILE
OPPOSITION TO CROSS-MOTION FOR SUMMARY JUDGMENT AND REPLY**

Defendant, by and through undersigned counsel, respectfully moves the Court, pursuant to Fed. R. Civ. P. 6(b), for an enlargement of time of three days to, and including, February 20, 2009, to file its opposition to Plaintiff’s Cross Motion for Summary Judgment (Document 26), filed on January 5, 2009, and its Reply to Plaintiff’s Memorandum in Opposition to Defendant’s Motion for Summary Judgment in Part (Document 25), also filed on January 5, 2009, in this case arising under the Freedom of Information Act (“FOIA”). Defendant’s opposition and reply are currently due on February 17, 2009, pursuant to prior Order of this Court. This is Defendant’s second request for an enlargement of time for this purpose. Pursuant to Local Rule 7(m), the parties conferred in this matter and Plaintiff consents to the request. A proposed order granting this motion and proposing a revised briefing schedule adjusting the prior Court dates by three weeks is attached.

There is good cause for the Court to grant this Motion. Undersigned counsel requires additional time to confer and consult with agency counsel to prepare the opposition and reply, and will be out of the office on sick leave on February 17, 2009 (and possibly February 18, 2009). The

enlargement is also required due to the press of other previously-assigned cases being handled by undersigned counsel that have had deadlines since January 5, 2009, when Plaintiff's papers were filed, and since the time of the first extension request.

Defendant proposes the following revised briefing schedule: Defendant shall file its opposition and reply by February 20, 2009, and Plaintiff shall file its reply by March 6, 2009.

WHEREFORE, Defendant respectfully requests an enlargement of time to file its opposition and reply and for a revised briefing schedule.

Respectfully submitted,

/s/

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/s/

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ORDER

Upon Consideration of Defendant’s Consent Motion for Brief Extension of Time to File its Opposition to Plaintiff’s Cross Motion for Summary Judgment (Document 26), and its Reply to Plaintiff’s Memorandum in Opposition to Defendant’s Motion for Summary Judgment in Part (Document 25), and the entire record herein, it is hereby **ORDERED** that the motion is **GRANTED**.

It is further **ORDERED** that the parties shall comply with the following briefing schedule:

1. Defendant shall file its opposition and reply by February 20, 2009.
2. Plaintiff shall file its reply by March 6, 2009.

It is **SO ORDERED** this _____ day of _____, 2009.

John D. Bates
United States District Judge