

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ROGER HALL, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 04-814 (RCL)
)	
CENTRAL INTELLIGENCE AGENCY,)	
)	
Defendant.)	
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PLAINTIFFS' CONSENT MOTION
TO REVISE BRIEFING SCHEDULE

Plaintiffs Roger Hall and Studies Solutions Results, Inc. (SSRI") (collectively "Hall"), and Accuracy in Media, Inc. ("AIM") respectfully move the Court for a four-day extension of time, under Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure, to respond to the Government's pending renewed motion for summary judgment. Plaintiffs seek an extension to and including December 14, 2018.

As requested by the Government, plaintiffs further request the Court to revise the current briefing schedule to accommodate the holiday vacation schedule of defendant's counsel.

As ground for the motion, plaintiffs represent to the Court as follows:

1. Plaintiffs' previously submitted a consent motion to file their responses to the Government's renewed cross-motion for summary judgment and/or other relief by December 10, 2018. That motion has not yet been acted upon.

2. Attorney John H. Clarke, counsel for AIM, has a draft of AIM's response, and could probably file it on Monday, December 10, 2018. Hall's attorney, James H. Lesar, needs additional time due to a series of events in other cases which have required his attention since plaintiffs moved for the extension to December 10.

3. These include the need to evaluate this Court's decision in Judicial Watch, Inc. v. U.S. Department of State, Civil Action No 14-1242 (RCL), which this Court handed down on Friday, December 7, 2018. Last week, the Court of Appeals had handed down two per curiam orders in Morley v. C.I.A., D.C. Cir. No. 17-5114, which denied Morley's petitions for rehearing and rehearing en banc. The manner in which this occurred required Lesar, as Morley's attorney, to immediately devote attention to new legal and procedural issues in light of the unusual circumstances surrounding these per curiam orders.

4. Moreover, also on December 7, 2018, Lesar received confidential source extremely significant information from a confidential source which bear directly on what is at issue in Clemente v. F.B.I., Civil Action No. 13-0108 (TFH), in which there is a hearing on pending cross-motions scheduled for December 18, 2018. To prepare and use this material in time for that hearing has taken time that otherwise would have been devoted to this case.

5. Because of health problems and medical appointments, Mr. Lesar is normally only able to work part-time most days. Time is also needed to deal with pagination and formatting issues which will occur when he has to debold his brief and correlate it with Mr. Clarke's finished brief.

6. Attorney Damon Taaffe has stipulated to undersigned counsel that this motion should state to the Court that the government's consent to this schedule is dependent on extending the time for the CIA's reply brief beyond the period when counsel will be out of office due to the holidays, and so seeks up to and including January 19, 2019, to file the government's reply.

An order to this effect is submitted herewith.

DATE: December 10, 2018.

Respectfully submitted,

/s/

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