

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
ROGER HALL, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civ. Action No. 04-814 (RCL)
)	
CENTRAL INTELLIGENCE AGENCY,)	
)	
Defendant.)	
_____)	

**CONSENT MOTION FOR AN EXTENSION OF TIME FOR DEFENDANT TO FILE
ITS OPPOSITION TO PLAINTIFF ACCURACY IN MEDIA’S CROSS-MOTION FOR
SUMMARY JUDGMENT AND REPLY IN FURTHER SUPPORT OF SUMMARY
JUDGMENT**

Defendant, the Central Intelligence Agency, by and through undersigned counsel, respectfully moves the Court for an extension of time, up to and including May 11, 2022, within which to file an opposition to Plaintiff Accuracy in Media’s Cross-Motion for Summary Judgment and a reply in further support of summary judgment.

LOCAL RULE 7(m) STATEMENT

Pursuant to Local Civil Rule 7(m), undersigned counsel consulted with counsel for Plaintiff Accuracy in Media, John Clarke, and also with James H. Lesar, counsel for Plaintiffs Roger Hall and Studies, Solutions, Results, Inc., regarding the relief requested in this motion, and both kindly assented.

ARGUMENT

There is good cause for the granting of this requested extension.

1. Undersigned counsel is a relative newcomer to this case, having entered his appearance on November 12, 2021. ECF No. 374.

2. Undersigned counsel promptly filed a motion for summary judgment on December 21, 2021 (ECF No. 376), as ordered by the Court on November 23, 2021. ECF No.375. Pursuant to that order of the Court, Plaintiffs were to file their response and any cross-motions by January 25, 2022.

3. Plaintiff Accuracy in Media filed an opposition and cross-motion for summary judgment on January 25, 2022. ECF Nos. 377 and 378.

4. On February 4, 2022, Plaintiffs Roger Hall and Studies Solutions Results, Inc., moved, with consent, for an extension of time within which to file their oppositions to Defendant's motion for summary judgment. ECF No. 379.

5. On February 15, 2022, this Court allowed the Plaintiffs' motion and ordered: 1) Plaintiffs to file their response and any cross-motion by February 17, 2022; 2) Defendant to file its response to the cross-motions and replies in further support of summary judgment by March 10, 2022; and 3) Plaintiffs to file a reply by March 24, 2022. ECF No. 380.

6. To date, Plaintiffs Roger Hall and Studies Solutions Results, Inc. have not filed any response or cross-motion to Defendant's motion for summary judgment.

7. Undersigned counsel had been waiting for the anticipated filings by Plaintiffs Roger Hall and Studies Solutions Results, Inc., so Defendant's oppositions and replies could be handled in one filing.

8. The office of the United States Attorney, Civil Division, after several delays has completed a move to new offices which took place in late March and early April, which caused much upheaval and interruption of the work schedule during the process.

9. Undersigned counsel assisted the office move as a move captain, which required much time and effort outside undersigned counsel's work schedule.

10. In addition, undersigned counsel has an extremely active litigation caseload and has been assigned in excess of 100 cases, and also an emergency matter which required immediate attention the week of April 4, 2022.

11. Undersigned counsel was hoping to file Defendant's oppositions and replies by this date but given the non-filings by Plaintiffs Roger Hall and Studies Solutions Results, Inc., coupled with the office move and the heavy caseload, it has been difficult to prepare an opposition and reply to Plaintiff Accuracy in Media's cross-motion by this date.

12. This is Defendant's second request for an extension of the date within which to file an opposition and reply to Plaintiff Accuracy in Media's cross-motion for summary judgment.

Based on the foregoing, it is respectfully requested that Defendant be given until May 11, 2022, to file its opposition to Plaintiff Accuracy in Media's cross-motion for summary judgment and reply in further support of summary judgment. A proposed form of order is submitted herewith.

April 11, 2022

Respectfully submitted,

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United States Attorney

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[PROPOSED] ORDER

This matter, having come before the Court on the Consent Motion of Defendant for an extension of time within which to file an opposition to Plaintiff Accuracy in Media’s cross-motion for summary judgment and reply in further support of Summary Judgment, and the Court having considered the motion, it is hereby ORDERED,

That Defendant’s motion is granted and the Defendant shall file its opposition to Plaintiff Accuracy in Media’s cross-motion for summary judgment and reply in further support of Summary Judgment on or before May 11, 2022.

ROYCE C. LAMBERTH
UNITED STATES DISTRICT JUDGE