

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

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ELECTRONIC PRIVACY INFORMATION)	
CENTER,)	Civil Action No: 14-1217 (RBW)
)	
	Plaintiff,)	ECF
)	
v.)	
)	
CUSTOMS AND BORDER PROTECTION,)	
)	
	Defendant.)	
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**DEFENDANT’S PARTIAL CONSENT MOTION FOR ENLARGEMENT
OF TIME TO FILE SUMMARY JUDGMENT MOTION**

Defendant, by and through undersigned counsel, respectfully moves this Court pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) for an enlargement of time of three weeks to, and including, June 8, 2015, to file a motion for summary judgment in this action brought under the Freedom of Information Act.¹ The current briefing schedule was set by the Court’s Minute Order dated March 25, 2015. This is Defendant’s first request to extend the motions filing deadline. Pursuant to Local Rule 7(m), undersigned counsel has conferred with the plaintiff, through counsel, and plaintiff advised it will consent only to a one-week extension of time. A proposed order granting this motion and extending all deadlines by three weeks is attached. In further support of this motion, defendant relies upon the following points and authorities.

There is good cause to grant this motion. The agency has prepared a draft *Vaughn* declaration by the April 30, 2015 deadline set by the Court’s March 25 Order. In the interim,

¹ Undersigned counsel acknowledges that the Court’s Standing Order for Civil Cases includes a four- day rule for extensions of time and requests that the Court accept the motion as timely. Undersigned counsel required the additional time to obtain plaintiff’s position as to the request and also to assess the amount of time required in light of revisions to the *Vaughn* declaration.

undersigned counsel has reviewed the declaration and conferred and consulted with the agency about revisions to the declaration. In addition, the agency has reviewed its prior withholdings as part of this ongoing process and decided to release a 34-page document that had been previously withheld in full. Although the agency is in the process of finalizing the declaration, undersigned counsel requires additional time to prepare and file a motion for summary judgment. This request is based, in part, on the need to schedule certain other time-sensitive matters this week, including preparation of the expert witnesses set to testify for the government at the June 10, 2015 patent trial in *SD3, LLC v. Lee*, Civil Action No. 08-1242 (RCL) (witnesses were not otherwise available until the week of trial), and preparation of multiple witnesses to be deposed next week in *TerVeer v. Billington*, Civil Action No. 12-1290 (CKK), a case involving a sexual orientation discrimination claim. Undersigned counsel also requests three weeks, notwithstanding plaintiff's consent to a shorter period of time, due to the press of other business over the next three weeks, including preparation for the *SD3* trial and dispositive motions due in several other cases during this time period.

WHEREFORE, Defendant requests that the Court grant this motion for an enlargement of time.

