

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

_____)	
ELECTRONIC PRIVACY)	
INFORMATION CENTER,)	
)	
Plaintiff,)	
)	
v.)	
)	Case No. 17-cv-0163 RC
OFFICE OF THE DIRECTOR)	
OF NATIONAL INTELLIGENCE)	
)	
Defendant.)	
_____)	

**DEFENDANT’S MOTION FOR ONE-DAY ENLARGEMENT OF TIME TO FILE
REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT
AND OPPOSITION TO CROSS MOTION FOR SUMMARY JUDGMENT**

Defendant, by and through undersigned counsel, respectfully moves this Court pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) for a one-day enlargement of time to, and including, August 22, 2017, to file its combined Reply in Support of Motion for Summary Judgment and Opposition to Cross Motion for Summary Judgment (“Reply/Opposition”) in this action brought under the Freedom of Information Act (“FOIA”). This is Defendant’s second request to extend the deadline to file its Reply/Opposition, and its fourth request to extend the summary judgment briefing schedule in this case. This request would affect the other remaining deadline in the briefing schedule by extending it by one day as well. This request is made in good faith and with good cause, as set forth below.

1. On May 17, 2017, this Court entered a Scheduling Minute Order adopting the Joint Status Report and Proposed Order filed by the parties. The Minute Order provided that Defendant shall file its motion for summary judgment on or before June 19, 2017; Plaintiff shall file any cross-motion or opposition on or before July 18, 2017; Defendant shall file any opposition or reply on or before August 7, 2017; and Plaintiff shall file any reply on or before August 22, 2017.

2. Defendant's Reply/Opposition is currently due to be filed today, August 21. *See* Minute Order (Aug. 8, 2017). Defendant plans to file a supplemental declaration in support of its Opposition/Reply, and Defendant needs one additional day to file the declaration due to the unexpected unavailability of the declarant. Therefore, Defendant respectfully requests that the deadline to file its Reply/Opposition be extended by one day, until August 22, 2017. Defendant further requests that the other remaining deadline in the case, the deadline for Plaintiff to file its Reply in Support of the Cross Motion for Summary Judgment, be extended by one day, until September 6, 2017.

3. Pursuant to Local Rule 7(m), undersigned counsel emailed counsel for Plaintiff to seek Plaintiff's position on this motion, but had not received a response by the time of this filing. A proposed order granting this motion is attached.

WHEREFORE, Defendant requests that the Court grant this motion for an enlargement of time, and enter the proposed order filed concurrently herewith, which provides that Defendant shall file its combined Reply in Support of its Motion for Summary Judgment and Opposition to Plaintiff's Cross Motion for Summary Judgment by August 22, 2017; and that Plaintiff shall file its Reply in Support of the Cross Motion for Summary Judgment on or before September 6, 2017.

Dated: August 21, 2017

Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General

MARCIA BERMAN
Assistant Branch Director

/s/ Jennie L. Kneedler
JENNIE L. KNEEDLER
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel. (202) 305-8662
Fax (202) 616-8470
Email: Jennie.L.Kneedler@usdoj.gov
D.C. Bar # 500261