

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

C.A. NO. 10-1389

JAMES N. THIVIERGE,

Plaintiff

v.

TOWN OF AMESBURY, MAYOR
KEZER, TOWN ASSESSOR, TOWN
CLERK, AGENT OF LIBRARY,

Defendants

DEFENDANTS' MOTION
FOR AN ENLARGEMENT
OF TIME TO FILE BRIEF

Now come the defendants and hereby move for a short extension of time to file their brief from the current date of December 22, 2010 to December 31, 2010 on the grounds that defense counsel was ill for a week and requires additional time to prepare a meaningful response to the plaintiff's brief. The plaintiff has requested and been granted multiple extensions of time, whereas this is the first request filed by the defendants. Defense counsel attempted to telephone the plaintiff to obtain his assent, but was advised by the outgoing message on his voicemail that his voicemail was full. Defense counsel sent an electronic mail to the plaintiff, but has not yet received a response.

WHEREFORE, the defendants respectfully request an enlargement of time to file their brief to December 31, 2010.

DEFENDANTS,

By their attorneys,

/s/Katharine I. Doyle

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Katharine I. Doyle (BBO# 634131)

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CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2010, I electronically filed the foregoing document with the United States Court of Appeals for the First Circuit by using the CM/ECF system. I further certify that on December 20, 2010, I served a copy of the foregoing document on the following party by U.S. Mail:

Mr. James Thivierge
106 Friend Street
Apt. 12
Amesbury, MA 01913

/s/Katharine I. Doyle