

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

MORRIS D. DAVIS,

Plaintiff-Appellee,

v.

No. 11-5092

JAMES H. BILLINGTON, in his
official capacity as the Librarian of
Congress,

Defendant,

DANIEL P. MULHOLLAN, in his
individual capacity,

Defendant-Appellant.

JOINT MOTION TO EXTEND BRIEFING SCHEDULE

Pursuant to Federal Rule of Appellate Procedure 26(b) and D.C. Circuit Rule 28(e), the parties jointly request an eleven-day extension of the deadlines set forth in the existing briefing schedule. Specifically, the parties request that the briefing schedule be amended as follows: (1) Defendant-Appellant's Brief would be due no later than August 1, 2011; (2) Plaintiff-Appellee's Brief would be due no later than September 2, 2011; and (3) Defendant-Appellant's Reply Brief would be due

no later than September 16, 2011. In support of the request, the parties state as follows:

1. On June 8, 2011, this Court entered an order setting a briefing schedule. Under that schedule, Defendant-Appellant's opening brief is due on July 21, 2011, Plaintiff-Appellee's response brief is due on August 22, 2011, and Defendant-Appellant's reply brief is due on September 6, 2011.

2. No party has previously requested an extension of time in this matter.

3. An eleven-day extension of the briefing schedule is necessary because of other work commitments and scheduled summer vacation plans of the parties' respective counsel. Specifically, Defendant-Appellant's counsel has another brief due in this Court on July 22, 2011, in *Al Kandari v. United States*, No. 10-5373 (D.C. Cir.), and local counsel and lead counsel for Plaintiff-Appellant have summer vacations scheduled for August 9-22 and August 21-28, respectively.

5. Granting this extension will not cause any prejudice to any party in this matter.

6. There will be no inconvenience to the Court, as no date for oral argument has yet been set.

WHEREFORE, with good cause shown, the parties respectfully request that this Court enter an Order extending the briefing schedule by eleven days, such that Defendant-Appellant's Brief would be due no later than August 1, 2011, Plaintiff-

Appellee's Brief would be due no later than September 2, 2011, and Defendant-Appellant's Reply Brief would be due no later than September 16, 2011.

Respectfully submitted,

Dated: July 7, 2011

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of July, 2011, the foregoing Joint Motion to Extend Briefing Schedule was filed electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means:

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