

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BARBARA ANN WILSON,	}	
	}	
Plaintiff,	}	
	}	
v.	}	2:10-CV-02386-KOB
	}	
THE CITY OF BIRMINGHAM, et al.;	}	<u>UNOPPOSED</u>
	}	
Defendants.	}	

**DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE BRIEFS
IN REPLY TO PLAINTIFF'S RESPONSE IN OPPOSITION TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

The Defendants, by and through their undersigned counsel, hereby respectfully request that this Court grant them an additional seven (7) days to submit their Brief in reply to *Plaintiff's Response in Opposition Defendants' Motion for Summary Judgment*. In support thereof, Defendants state as follows:

1. Defendants timely filed their Motion for Summary Judgment and all required evidentiary materials on July 20, 2011.
2. Defendants' briefs in reply to *Plaintiff's Response in Opposition Defendants' Motion for Summary Judgment* are due to be filed Wednesday, August 31, 2011. However, Defendants seek a modest extension of seven (7) days, or until September 7, 2011, to file their reply brief.

3. *Plaintiff's Response in Opposition Defendants' Motion for Summary Judgment* contain a significant number of additional factual averments that Defendants must address, as appropriate, in accordance with the Court's standing order. For example, *Plaintiff Response in Opposition Defendants' Motion for Summary Judgment* includes one hundred and thirty three (133) additional factual averments.
4. Plaintiff sought and was granted a seven (7) day extension to file its' *Plaintiff's Response in Opposition Defendants' Motion for Summary Judgment*. (Doc. 34).
5. Further, no party to this action will be prejudiced by the granting of an additional seven (7) days within which Defendants may submit a reply brief. This request for additional time is not made for any improper purpose, and will not delay or affect any current deadlines in the case.

WHEREFORE, Defendants respectfully request that the Court enter an Order granting them an additional seven (7) days, until September 7, 2011, to file their reply to *Plaintiff's Response in Opposition Defendants' Motion for Summary Judgment*.

Respectfully submitted,

/s/Fredric L. Fullerton, II
Fredric L. Fullerton, II
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CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court by using the CMF Electronic Filing System on this the **19th** day of **August**, 2011, which will send electronic notification of such filing to the following:

Adam P. Morel, Esq.
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/s/Fredric L. Fullerton, II
OF COUNSEL