

1 MELINDA HAAG (CSBN 132612)
United States Attorney
2 ALEX TSE (CSBN 152348)
Chief, Civil Division
3 JAMES A. SCHARF (CSBN 152171)
Assistant United States Attorney

4 150 Almaden Blvd., Suite 900
5 San Jose, California 95113
Telephone: (408) 535-5044
6 Facsimile: (408) 535-5081
7 Email: james.scharf@usdoj.gov

8 Attorneys for Defendant USA

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12
13 JAMES ELLIS JOHNSON,

14 Plaintiff,

15 v.

16 UNITED STATES, et al.,

17 Defendants.
18
19

Case No. C 13-02405 EMC

DEFENDANT USA'S UNOPPOSED
ADMINISTRATIVE MOTION TO
EXTEND TIME TO FILE REPLY

20
21 PLEASE TAKE NOTICE that, pursuant to Civil L. R. 7-11, defendant USA hereby requests the
22 Court to extend by just two days the time for it to file its reply in support of its motion to dismiss
23 plaintiff's amended complaint to and including April 3, 2014. Plaintiff does not oppose this request.

24 Per Court Order, plaintiff's opposition to defendants' pending motions to dismiss was due March
25 25, 2014; defendant USA's reply is due on April 1, 2014; and defendant City and County of San
26 Francisco's reply is due April 3, 2014. Document 93. Plaintiff filed his opposition on March 25, 2014.

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28 DEFENDANT USA'S UNOPPOSED ADMINISTRATIVE MOTION TO EXTEND TIME TO FILE
REPLY

1 However, defendant USA did not receive it until the afternoon of March 27, 2014, when it appeared on
2 PACER.

3 Plaintiff's opposition to defendant USA's motion to dismiss is seventeen pages of text, not
4 including thirty-four pages of exhibits. Documents 95 and 96. Defense counsel will be on annual leave
5 on March 28, 2014. Although plaintiff's arguments lack merit, defendant USA would like the full seven
6 days contemplated by the Federal Rules of Civil Procedure and this Court's Local Rules to prepare a
7 reply. Thus, defendant USA would like to file its reply on or before April 3, 2014, which is the same
8 day that co-defendant City and County of San Francisco will file its reply per the Court's briefing
9 schedule. This should not delay the April 18, 2014, hearing date on the pending motions to dismiss.

10 In a telephone conversation on March 27, 2014, plaintiff told the undersigned that he did not
11 oppose this request.

12
13 Respectfully submitted,

14 DATED: March 27, 2014

MELINDA HAAG
United States Attorney

15
16 /s/ _____
17 JAMES A. SCHARF
18 Assistant United States Attorney
Attorneys for Executive and Senator Defendants

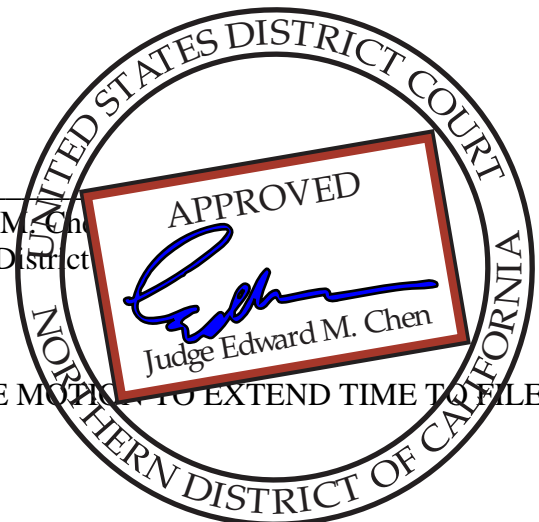
19 [PROPOSED] ORDER

20 Good cause appearing, and pursuant to the agreement of the parties, the date by which defendant
21 USA must file its reply in support of its motion to dismiss plaintiff's amended complaint is continued
22 from April 1, 2014, to April 3, 2014.

23 SO ORDERED

24 DATED: March ²⁷ ____, 2014

25
26 _____
Hon. Edward M. Chen
United States District



1 CERTIFICATE OF SERVICE

2
3 The undersigned hereby certifies that she is an employee of the Office of the United States
4 Attorney for the Northern District of California and is a person of such age and discretion to be
5 competent to serve papers. The undersigned further certifies that she is causing a copy of the following:

6 **DEFENDANT USA’S UNOPPOSED ADMINISTRATIVE**
7 **MOTION TO EXTEND TIME TO FILE REPLY**

8 **JAMES ELLIS JOHNSON v. UNITED STATES OF AMERICA, et al**
9 **No. CV 13-02405 EMC**

10 to be served this date upon the party(ies) as follows:

11 FIRST CLASS MAIL by placing such envelope(s) with postage thereon fully prepaid in the
12 designated area for outgoing U.S. mail in accordance with this office's practice.

13 to the parties addressed as follows:

14 **James Ellis Johnson**
15 **1819 Golden Gate Avenue, #12**
16 **San Francisco, CA 94115**

17 I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct.

19 Executed this 27th day of March 2014, at San Jose, California.

20 */s/ Mimi Lam*

21 _____
22 Mimi Lam
23 Legal Assistant
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