Doc. 38

The parties stipulate and respectfully request the Court extend the deadline for filing Plaintiff's Reply in Support of its Motion for Partial Summary Judgment until December 1, 2016. Good cause exists for this request as follows:

- 1. On November 14, 2016, the parties sought, and the Court approved, a stipulated extension of time for the filing of Plaintiff's Reply. See ECF No. 36.
- 2. The parties sought this extension to accommodate discussions between the parties concerning the scope of the FOIA request, in an ongoing effort to narrow the scope of the litigation and partially resolve some of the areas in dispute without the Court's intervention. See id.
- 3. During the additional time, the parties have engaged in productive discussions concerning the proposed narrowing and its consequences for the litigation. However, because of the Thanksgiving holiday, the Department of Justice requires additional time to discuss the issue within the Department and with other affected government agencies.
- 4. Thus, and to facilitate their ongoing discussions, the parties request an additional brief extension of three days, to December 1, 2016, for the filing of Plaintiff's Reply.
- 5. This short extension will allow the parties to complete their discussions concerning the proposed narrowing. In the event the parties are unable to resolve their dispute, the new deadline will still allow for two full weeks before the currently scheduled hearing date.

Accordingly, the parties respectfully stipulate and request that the Court extend the deadline for filing Plaintiff's Reply to December 1, 2016.

DATED: November 23, 2016	/s/ Mark Rumold
	Mark Rumold

ELECTRONIC FRONTIER FOUNDATION 815 Eddy Street San Francisco, CA 94109 Telephone: (415) 436-9333 Facsimile: (415) 436-9993 Attorney for Plaintiff

ELECTRONIC FRONTIER FOUNDATION

28

1	DATED: November 23, 2016 BENJAMIN C. MIZER Principal Deputy Assistant Attorney General	
2	BRIAN STRETCH	
3	United States Attorney	
4	ELIZABETH J. SHAPIRO Deputy Branch Director	
5	_/s/ Rodney Patton	
6	RODNEY PATTON Senior Counsel	
7	JULIA A. BERMAN Bar No. 241415 Trial Attorney	
8	United States Department of Justice Civil Division, Federal Programs Branch	
9	20 Massachusetts Avenue, N.W. Washington, D.C. 20001 Telephone: (202) 616-8480	
10	Facsimile: (202) 616-8470	
11	Attorneys for Defendant	
12	DECLARATION PURSUANT TO LOCAL RULE 5-1(I)(3)	
13	Pursuant to Civil L.R. 5-1(i)(3), I, Mark Rumold, declare that I obtained the concurrence of	
14	Rodney Patton, counsel for Defendant, United States Department of Justice, in the filing of this	
15	document.	
16	I declare under penalty of perjury under the laws of the United States that the foregoing is	
17	true and correct. Executed this 23rd day of November, 2016 in Kansas City, Missouri.	
18		
19	<u>/s/ Mark Rumold</u> Mark Rumold	
20	* * *	
21	Upon consideration of the parties' stipulation concerning an extension of time in which to	
22	file Plaintiff's Reply, it is:	
23	ORDERED that Plaintiff's deadline to file its Reply is extended to December 1, 2016.	
24	, , , , , , , ,	
25	DATED: November 28, 2016 HON. HAYWOOD S. GILLIAM, JR.	
26	UNITED STATES DISTRICT JUDGE	
27		
28	2 16-cv-02041-HSG STIPULATION AND [PROPOSED] ORDER	