

1 3. The pending lawsuit was filed against former employees of the Federal Bureau of
2 Investigation. In this lawsuit, plaintiff again suggests that facts exist that, if proved, may call into
3 question whether some of the evidence submitted in support of the government's case in the
4 criminal trial should have been submitted. My analysis of the complaint suggests plaintiff's
5 theory is that defendants are liable to plaintiff for their role in procuring or handling evidence.

6 4. It would appear from the face of the complaint and from a review of the numerous filings
7 plaintiff previously has made in this court (including, e.g., case numbers 11-2612, 11-2613, 11-
8 2614, 11-2615, 11-2617, 11-2650, 11-2654, 11-2655, 11-2656, 11-2657, 11-2681) that
9 defendants have valid defenses to the claims being made in the pending complaint.

10 5. It took a significant amount of time to find contact information for the defendants and to
11 arrange for representation. Additional time is necessary for me to confer with defendants and to
12 prepare their defenses in an initial responsive pleading.

13 6. I am scheduled to be away from the office from December 21, 2011 through January 4,
14 2012 returning to the office January 5, 2012.

15 7. No other extensions of time have been requested in this case. If granted, the extension of
16 this deadline will not result in changes to any other court deadlines.

17 I declare under penalty of perjury under the laws of the United States that the above is true and
18 accurate. Executed this 20th day in December, 2011, in San Francisco, California.

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21 
22 ABRAHAM A. SIMMONS (SBN 146400)

23 **[PROPOSED] ORDER**

24 It is so ORDERED. Defendants shall file a response to the Complaint on or before
25 January 20, 2012.

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27 
28 United States District Judge