

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

PETER B.

Plaintiff,

v.

Civil Action No. 06-1652 (RWR)

CENTRAL INTELLIGENCE AGENCY
et al.

Defendants.

* * * * *

PLAINTIFF’S CONSENTED TO MOTION FOR EXTENSION OF TIME

NOW COMES Plaintiff, by and through his undersigned counsel, to respectfully request from this Court an extension of up to and including June 18, 2007, in order to file a response to the defendants’ Motion to Dismiss (filed March 26, 2007).¹

Plaintiff’s undersigned counsel, who is a solo practitioner, profusely apologies for this request, especially after indicating his prior request was intended to be his last. The primary reason for this request stems from the undersigned’s representation as civilian defense counsel for SSgt Frank Wuterich, who is facing thirteen counts of murder in a high-profile matter arising from events that allegedly occurred in Haditha, Iraq on November 19, 2005.

Counsel was required to take two days this week out-of-town in order to interview an important witness who was made available for the first time, as well as engage in trial preparations for the upcoming Article 32 and eventual court-martial (as well as finalize an opposition brief due in a related civil matter: Wuterich v. Murtha, Civil Action No. 06-

¹ For clarification purposes the “filing” on this date is for counsel’s submission of his response to the CIA for classification review. As soon as the document is returned as “approved for filing” the undersigned will immediately file it with the Court.

1366 (D.D.C.)(RMC)). Additionally, the military counsel in the case, all of whom are stationed at Camp Pendleton, California, are now in Washington, D.C. for a rare visit this week and the undersigned will be involved in further trial preparation.

Finally, in addition to having to address certain issues with the plaintiff who resides overseas, counsel will be away from June 9-17, 2007, for a long ago arranged trip to celebrate his father's 70th birthday. Nevertheless, this trip will not be permitted to interfere with completing the brief. However, counsel has discussed the submission with his CIA security officer who has indicated their desire to receive the brief in person on Monday, June 18, 2007, rather than have it FedEx'd to them on Thursday, June 14, 2007.

Defendants' counsel has consented to this extension.² The granting of this motion shall not result in the continuance of any hearing, conference or trial. A proposed Order accompanies this Motion.

Date: June 6, 2007

Respectfully submitted,

/s/

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² Defendants' counsel has explicitly consented to an extension for one week but was not aware of the CIA's request regarding submission that would push the deadline several days further. Plaintiff's counsel has communicated this date change to the Government via telephone message and e-mail but has not yet received a response. Should the Justice Department object to the additional four days, the undersigned will notify this Court immediately if no ruling has yet been issued.