## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

MAQALEH, et al.,	))))
Petitioners,	))))
v.	))))
ROBERT GATES, Secretary, United States Department of Defense, <i>et al.</i> ,	))))
Respondents.	) ) )

Civil Action No. 06-CV-01669 (JDB)

## CONSENT MOTION FOR EXTENSION OF TIME TO FILE PETITIONERS' RESPONSE TO RESPONDENTS' MOTION TO DISMISS AND RESPONDENTS' REPLY

Petitioners, through undersigned counsel, hereby move the Court for an extension of time in which to file their Response to Respondents' Motion to Dismiss, as well as Petitioners' Reply thereto. Petitioners' counsel has consulted with counsel for Respondents, who consents to the present motion for an extension of time pursuant to the briefing schedule set forth below. In support of this motion, Petitioners further inform the Court as follows:

1. Petitioners filed their First Amended Petition on February 12, 2007.

Respondents' response to the Petition was due on March 2, 2007. Respondents' moved (with Petitioners' consent) to extend the time for Respondents' response to the First Amended Petition to March 9, 2007. The Court granted the motion. Respondents' then filed their response to the First Amended Petition in the form of a Motion to Dismiss for Lack of Jurisdiction on March 5, 2007. In the absence

of the present extension, Petitioners' Opposition to the Motion to Dismiss would be due on March 16, 2007.

- 2. Petitioners' counsel will be out of the country on the date when Petitioners' Response to the Motion to Dismiss is now due (March 16, 2007). In addition, Petitioners' Counsel anticipates needing additional time to confer with Next Friend Petitioner (who resides in Yemen) to prepare Petitioners' response to the Motion to Dismiss. Petitioners therefore request a two-week extension of time in which to file their response to the Motion to Dismiss up to and including March 30, 2007.
- Respondents' counsel has consented to this extension of time. However, she also requests that the new briefing schedule take into account Respondents' counsel's own scheduling conflicts. Respondents' counsel thus requests that any new briefing schedule permit the filing of Respondents' Reply up to and including April 20<sup>th</sup>, 2007.
- 4. A proposed form of order granting this motion and setting forth the requested briefing schedule is filed herewith.

Dated: March 13, 2007

Respectfully Submitted,

/s/\_\_\_\_\_ TINA M. FOSTER

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Attorney for Petitioners