

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

Talal AL-ZAHRANI, et al.,)

)

Plaintiffs,)

)

v.)

Case No.: 1:09-CV-00028 (ESH)

)

Donald RUMSFELD, et al.)

)

and)

)

UNITED STATES,)

)

Defendants.)

)

**MOTION FOR ENLARGEMENT OF TIME FOR DEFENDANTS TO ANSWER OR
OTHERWISE RESPOND TO PLAINTIFFS' AMENDED COMPLAINT**

Pursuant to Fed. R. Civ. P. 6(b)(1), the United States, by and through undersigned counsel, respectfully moves this Court for a 30-day enlargement of time, up to and including May 27, 2009, for Defendants to answer or otherwise respond to Plaintiffs' Amended Complaint. In support of this motion, the United States asserts as follows:

1. Plaintiffs instituted this action with the filing of their Complaint on January 7, 2009.
2. Plaintiffs amended their Complaint on January 29, 2009.
3. Service was accomplished as to all Defendants no sooner than February 26, 2009, the date upon which the U.S. Attorney General was served. *See* Ex. E, p. 26 [Attach. to Dkt # 5]; *see also* Fed. R. Civ. P. 4(i) (requiring two-tiered service for the United States and for federal officers sued in their individual capacity). Thus, the current deadline for the Defendants' response to Plaintiffs' Amended Complaint is April 27, 2009. *See* Fed. R. Civ. P. 12(a)(2), (3); Fed. R. Civ. P. 6(a). Even assuming service was accomplished as to all Defendants on February

23, 2009, *see* Affidavit of Return of Service ¶ 27 [Dkt # 5], this motion is still timely.

4. Pursuant to Local Rule 7(m), the United States' counsel contacted Plaintiffs' counsel, Pardiss Kebriaei, on April 22 and 23, 2009, along with Shayana Kadidal on April 23, 2009, regarding the contents of this motion. Plaintiffs' counsel was unavailable and undersigned counsel left telephone messages on both days indicating the United States' intention to file this motion and this motion's contents.

5. This request is made in good faith and not for purposes of delay.

6. Defendants have not previously requested or been given an extension of time to respond to Plaintiffs' Amended Complaint.

7. There are no other previously scheduled deadlines in this case.

A proposed Order is attached.

Dated: April 24, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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