## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

HOWARD R.L. COOK & TOMMY SHAW FOUNDATION FOR BLACK EMPLOYEES OF THE LIBRARY OF CONGRESS, INC., <i>et al.</i> ,	) ) )
Plaintiffs,	) ) Civil Action No. 10-1315 (HHK)
V.	) ) )
JAMES H. BILLINGTON,	)
Librarian, Library of Congress,	)
Defendant.	) )

## <u>CONSENT MOTION AND MEMORANDUM IN SUPPORT FOR EXTENSION OF</u> TIME TO RESPOND TO PLAINTIFFS' OPPOSITION TO MOTION TO DISMISS

Defendant, James H. Billington, Librarian, Library of Congress, by and through undersigned counsel, respectfully moves this Court pursuant to Federal Rule of Civil Procedure 6(b)(1) for a one day enlargement of time to, and including, Tuesday, January 18, 2011, to file his Reply to Plaintiffs' Opposition to Defendant's Motion to Dismiss. The brief is substantially complete but agency counsel have requested an additional amount of time to review before filing. Pursuant to Rule 7(m) of the Rules of the United States District Court for the District of Columbia, Defendant has consulted with Plaintiff's counsel regarding this extension motion and counsel graciously consents.

There is good cause to grant this motion. An additional day for review by the agency involved will ensure that the reply is complete and accurately states the government's position. This is conducive to providing the Court with the information and arguments necessary for the Court to resolve the issues between the parties. An additional work day, until January 18, 2011, will not prejudice the parties. Nor has any Court date been scheduled that this brief enlargement will disrupt. For the foregoing reasons, Defendant respectfully requests that it be afforded to, and including, Monday, January 18, 2011, to file his Reply to Plaintiffs' Opposition to Defendant's Motion to Dismiss. A proposed order consistent with this motion is attached hereto.

Date: January 14, 2011

Respectfully submitted,

RONALD C. MACHEN JR., D.C. Bar #447889 United States Attorney for the District of Columbia

RUDOLPH CONTRERAS, D.C. Bar #434122 Chief, Civil Division

By: <u>/s/ Laurie Weinstein</u> LAURIE WEINSTEIN, D.C. Bar #389511 Assistant United States Attorney Civil Division 555 4th Street, N.W. Washington, D.C. 20530 Tel: (202) 514-7133

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	)
Defendant.	)

## [PROPOSED] ORDER

UPON CONSIDERATION of the Defendant's Consent Motion for Extension of Time to

File Reply to Plaintiffs' Opposition to Defendant's Motion to Dismiss, and for good cause shown, it is hereby

ORDERED that Defendant's motion is GRANTED, and it is further

ORDERED that Defendant shall have to, and including, January 18, 2011, to file his

Reply in this matter.

SO ORDERED.

Date

Hon. Henry H. Kennedy United States District Judge