## 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., et al.,	) ) )
Plaintiffs,	)
	) Civil Action No. 10-1315 (HHK)
V.	)
	)
JAMES H. BILLINGTON,	)
Librarian, Library of Congress,	
<u> </u>	
Defendant.	)
	)

## CONSENT MOTION AND MEMORANDUM IN SUPPORT FOR EXTENSION OF ON WEEK IN WHICH TO RESPOND TO COMPLAINT

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 week enlargement of time to, and including, Wednesday, December 15, 2010, to respond to the Complaint in this action. The U.S. Attorney's Office was served with the Complaint on August 18, 2010, making Defendant's response to the Complaint due on October 18, 2010. This Court has previously granted two enlargement until December 8, 2010. Pursuant to Rule 7(m) of the Rules of the United States District Court for the District of Columbia, Defendant conferred with Plaintiff's counsel regarding this extension motion via electronic mail and telephone and Plaintiff's counsel consented to the relief requested.

There is good cause to grant this motion. As described in our earlier motion, undersigned counsel recently underwent knee surgery and recently experienced additional difficulty with the knee causing her to miss some time. Because of that, the undersigned has been unable to consult with the agency counsel assigned to this matter to ensure the United States' response to the complaint is accurate and thorough.

Therefore, undersigned counsel thus requests the additional time so that she and agency counsel have an adequate opportunity to coordinate the response to Plaintiffs' complaint.

This is the third request for an enlargement and there are no pending deadlines or court dates that this request for enlargement would affect. Granting Defendant an additional week to respond to the Complaint should cause no prejudice. For the foregoing reasons, Defendant respectfully requests that it be afforded to, and including, Wednesday, December 15, 2010, to respond to the Complaint. A proposed order consistent with this motion is attached hereto.

Date: December 7, 2010 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: /s/ Laurie Weinstein .

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HOWARD R.L. COOK & TOMMY SHAW FOUNDATION FOR BLACK EMPLOYEES OF THE LIBRARY OF CONGRESS, INC., et al.,  Plaintiffs,  v.  JAMES H. BILLINGTON, Librarian, Library of Congress,  Defendant.	) ) ) ) ) Civil Action No. 10-1315 (HHK) ) ) ) ) )	
[PROPOSED] ORDER		
UPON CONSIDERATION of the Defendant's Consent Motion for Extension of Time to		
Respond to Complaint, 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, December 15, 2010, to respond		
to the complaint in this action.		
SO ORDERED.		
Date	Hon. Henry H. Kennedy United States District Judge	