

Civil Action No.
1:13-cv-0851(RJL)

protection of property.” 31 U.S.C. § 1342. Accordingly, in the present circumstances, the undersigned Department of Justice attorneys are obligated to file the instant motion for a stay.

3. Undersigned counsel for the Government Defendants therefore request a stay, until Congress has restored appropriations to the Department of Justice, of the upcoming December 2, 2013, deadline¹ for the Government Defendants to respond to the Complaint.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government Defendants request that, at that point, the current deadline for their response to the Complaint be extended commensurate with the duration of the lapse in appropriations.

5. Pursuant to Local Civil Rule 7(m), undersigned counsel attempted to contact counsel for Plaintiffs by telephone and electronic mail in an effort to determine whether Plaintiffs agree to or oppose the relief sought herein. Counsel was unable to make contact with Plaintiffs’ counsel in advance of filing this motion. Counsel for defendant Verizon Communications have advised that Verizon Communications consents to this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government Defendants hereby move for a stay of their deadline to respond to the Complaint, until attorneys and employees at the Department of Justice are permitted to resume their usual functions.

¹ The Complaint was served on the Office of the United States Attorney for the District of Columbia on October 2, 2013. Under Federal Rules of Civil Procedure 6(a)(1) and 12(a)(2), the Government Defendants’ response to the Complaint is therefore due to be filed on December 2, 2013.

Dated: October 11, 2013

Respectfully Submitted,

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