

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

LARRY KLAYMAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.
)	1:13-cv-0851-RJL
BARACK OBAMA, President of the)	
United States, <i>et al.</i> ,)	
)	
Defendants.)	

**MOTION FOR AN EXTENSION OF TIME TO RESPOND TO
PLAINTIFFS’ MOTION FOR PARTIAL SUMMARY JUDGMENT**

The Government Defendants¹ hereby move for an extension of time until May 9, 2014, to file their opposition to Plaintiffs’ Motion for Partial Summary Judgment. For the reasons stated below, the Government Defendants’ request for an extension of time should be granted.

1. This Court granted Plaintiffs’ motion for a preliminary injunction, in part, on December 16, 2013. (ECF Nos. 48, 49). The Government’s appeal from the Court’s preliminary injunction is pending. *Klayman v. Obama*, No. 14-5004 (D.C. Cir.).

2. Plaintiffs moved for partial summary judgment on their Fourth Amendment claim on April 15, 2014 (ECF No. 108). Pursuant to Local Civil Rule 7(b) and Federal Rule of Civil Procedure 6(d), the Government Defendants’ opposition to Plaintiffs’ motion is currently due to be filed on May 5, 2014.

¹ Defendants Barack Obama, President of the United States, Eric Holder, Attorney General of the United States, James R. Clapper, Director of National Intelligence, Admiral Michael S. Rogers, Director of the National Security Agency (NSA), James B. Comey, Director of the Federal Bureau of Investigation (FBI), and John O. Brennan, Director of Central Intelligence, insofar as they are sued in their official capacities, together with defendants NSA, FBI, the Central Intelligence Agency, and the United States Department of Justice (DOJ). Pursuant to Federal Rule of Civil Procedure 25(d), Admiral Rogers is automatically substituted as a party to this action in place of former NSA Director General Keith Alexander.

3. The Government Defendants require a one-week extension of this deadline, until May 9, 2014, due to the press of business associated with multiple deadlines in other litigation challenging the lawfulness of the NSA's bulk telephony metadata program.

4. The deadline for the Government Defendants to file their opposition to Plaintiffs' Motion for Partial Summary Judgment has not previously been extended.

5. Pursuant to Local Rule 7(m), undersigned counsel conferred by electronic mail with counsel for Plaintiffs, and was advised that Plaintiffs object to the relief requested herein. The requested relief, however, will not prejudice Plaintiffs or unduly delay these proceedings.

For the reasons stated above, the Government Defendants' request for an extension of time until May 9, 2014, to file their opposition to Plaintiffs' Motion for Partial Summary Judgment should be granted.

Dated: May 1, 2014

Respectfully submitted,

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