

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

LARRY KLAYMAN, *et. al*

Plaintiffs,

v.

BARACK HUSSEIN OBAMA II, *et. al*

Defendants.

Civil Action No. 13-CV-851

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE REPLY BRIEF WITH
EXTENDED PAGES AND A SUPPLEMENTAL DECLARATION**

Plaintiffs, Larry Klayman and Charlie and Mary Ann Strange, hereby move this Court for the enlargement of the page limitation for their reply brief in support of their motion for preliminary injunction, and for leave of court to file the supplemental declaration of Dr. Edward Felton, and as grounds therefor would show:

1. On October 28, 2013 the Plaintiffs filed a Motion for Preliminary Injunction in the above styled lawsuit.
2. The Government Defendants requested and, with Plaintiffs' consent, received leave of this Court to extend the number of pages in their opposition to Plaintiffs' motion from 45 to 65 pages, that they filed almost an hour after midnight on November 12, 2013 and was late.¹

¹ The Plaintiffs awaited the filing of the Government Defendants' opposition which they thought would be filed at the close of business on November 11th. The Government Defendants filed their opposition after midnight on the 12th, ensuring that the Plaintiffs had gone home for the evening so that the Plaintiffs would not be able to review the opposition in the evening and thus limiting their time to respond.

3. An increase in the page limitations of the reply brief from 25 pages to 50 pages would allow Plaintiffs to have the additional room necessary to address the Government Defendants' lengthy Opposition. Defendant agreed to this when Plaintiffs consented to 65 pages for their brief.
4. Additionally, Plaintiffs relied on the Declaration of Dr. Edward Felton, that this Court granted leave to file on November 6, 2013. Since that time, Dr. Felton has released a supplemental declaration that Plaintiffs would also respectfully request to file with their reply brief, which already was served on Defendants in a related case, *ACLU v. Clapper*, No. 13-cv-03994 (S.D.N.Y.). Plaintiffs are attaching this declaration to supplement the record and request leave of Court to file it. Exhibit 1.
5. Pursuant to Local Rule 7(m), the Plaintiffs conferred with counsel for the Government Defendants regarding the relief they seek in this motion. The Government Defendants do not oppose such an enlargement in the page limit of the Plaintiffs' reply brief. The Government Defendants similarly do not oppose the filing of the Supplemental Declaration of Dr. Edward Felton.

WHEREFORE, Plaintiffs respectfully request an enlargement of the page limitations of their reply brief from 25 pages to 50 pages. Plaintiffs additionally respectfully request leave to file the supplemental declaration of Dr. Edward Felton.

Dated: November 12, 2013

Respectfully submitted,

/s/ Larry Klayman
Larry Klayman, Esq.
Attorney at Law
D.C. Bar No. 334581

2020 Pennsylvania Ave. NW, Suite 800
Washington, DC 20006
Tel: (310) 595-0800
Email: leklayman@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of November, 2013 a true and correct copy of the foregoing Plaintiffs' Unopposed Motion For Leave To File Reply Brief With Extended Pages And A Supplemental Declaration (Civil Action No. 13-cv- 851) was submitted electronically to the District Court for the District of Columbia and served via CM/ECF upon the following:

James R. Whitman
U.S. DEPARTMENT OF JUSTICE
P.O. Box 7146
Washington, DC 20044
(202) 616-4169
Fax: 202-616-4314
Email: james.whitman@usdoj.gov

James J. Gilligan
Special Litigation Counsel
Civil Division, Federal Programs Branch
U.S. Department of Justice
P.O. Box 883
Washington, D.C. 20044
(202) 514-3358
Email: James.Gilligan@usdoj.gov

Randolph D. Moss
WILMER CUTLER PICKERING HALE & DORR LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6640
Fax: (202) 663-6363
Email: randolph.moss@wilmerhale.com

Attorneys for Defendants.

Respectfully submitted,
/s/ Larry Klayman
Larry Klayman, Esq.
D.C. Bar No. 334581
Klayman Law Firm
2020 Pennsylvania Ave. NW, Suite 345
Washington, DC 20006
Tel: (310) 595-0800