

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

AMERICAN SOCIETY FOR TESTING AND  
MATERIALS d/b/a/ ASTM INTERNATIONAL;

NATIONAL FIRE PROTECTION  
ASSOCIATION, INC.; and

AMERICAN SOCIETY OF HEATING,  
REFRIGERATING, AND AIR-CONDITIONING  
ENGINEERS, INC.

Plaintiffs,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant.

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PUBLIC.RESOURCE.ORG, INC.,

Counterclaimant,

v.

AMERICAN SOCIETY FOR TESTING AND  
MATERIALS d/b/a/ ASTM INTERNATIONAL;

NATIONAL FIRE PROTECTION  
ASSOCIATION, INC.; and

AMERICAN SOCIETY OF HEATING,  
REFRIGERATING, AND AIR-CONDITIONING  
ENGINEERS, INC.

Counterdefendants.

Case No. 1:13-cv-01215-TSC-DAR

**CONSENT MOTION TO EXTEND  
TIME FOR DISCOVERY AND CASE  
SCHEDULE**

Complaint Filed: August 6, 2013

Defendant/Counter-Plaintiff Public.Resource.Org (“Public Resource”) respectfully moves to extend the fact discovery deadline and remaining deadlines on the case schedule, currently set by Dkt. No. 41.3. Pursuant to LCvR 7(m), the undersigned counsel discussed this motion with counsel for Plaintiffs’ Counter-Defendant American Society for Testing and Materials d/b/a ASTM International, National Fire Protection Association, Inc., and American Society of Heating, Refrigerating and Air Conditioning Engineers (“Plaintiffs”). Plaintiffs consented to this Motion and agreed to the dates and limitations below.

Extending the deadlines by two months allows the parties to complete document production and conduct depositions in a reasonable manner during and after the holiday season while accommodating witnesses’ and counsel’s various schedules.

Public Resource has discussed the schedule with Plaintiffs, and Plaintiffs agree to the below dates as a reasonable extension of the schedule. Furthermore, the parties agree that no party shall serve any further written discovery, except that ASTM may serve one additional interrogatory on Public Resource and Public Resource may serve one additional interrogatory on ASTM. Public Resource and ASTM do not waive any objections related to any final interrogatory, but they do agree to that neither will argue that the proposed final interrogatory is untimely, provided each party serves its interrogatory promptly, and they agree that neither will argue any agreement associated with this extension prohibits such a final interrogatory. The parties preserve all other objections.

Public Resource (with Plaintiffs' agreement) respectfully asks that the Court modify the remaining schedule as follows:

	<u>Previous Date</u>	<u>New Date</u>
Close of fact discovery	12/5/2014	1/30/2015
Joint status report	1/5/2015	3/2/2015
Opening expert disclosures	2/2/2015	3/2/2015
Opposition expert disclosures	3/16/2015	4/13/2015
Rebuttal expert disclosures	5/4/2015	6/1/2015
Reply expert disclosures	5/18/2015	6/15/2015
Close of expert discovery	6/16/2015	7/14/2015
Joint status report	6/23/2015	7/21/2015
Status conference	6/30/2015	7/28/2015

Dated: November 24, 2014

*/s/ Corynne McSherry*

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## **CERTIFICATE OF SERVICE**

In accordance with LCvR 5.3, I hereby certify that on November 24, 2014, I caused a true and correct copy of the foregoing Consent Motion to Extend Time for Discovery and Case Schedule to be served on all counsel of record through the Courts CM/ECF.

*/s/ Corynne McSherry*  
Corynne McSherry (*pro hac vice*)