

**APR 07 2010**

James R. ... Clerk  
By: *Q. M. Carter*  
Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

CAMBRIDGE UNIVERSITY  
PRESS, *et al.*,

Plaintiffs,

v.

MARK P. BECKER, in his official  
capacity as Georgia State University  
President, *et al.*,

Defendants.

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Case No. 1:08-CV-1425-ODE

**UNOPPOSED MOTION FOR A ONE DAY EXTENSION OF TIME**

The above-named Defendants hereby move for a one (1) day extension of time, from April 5 to April 6, to respond to Plaintiffs’ Motion for Summary Judgment (“Motion”). This extension is sought for a limited purpose—to permit the timely filing of three exhibits (deposition transcripts) cited in Defendants timely filed opposition to Plaintiffs’ Motion. As shown below, Defendants attempted to file these exhibits on April 5, but due to technical difficulty, were unable to do so. As good cause, Defendants show the following.

On Monday, April 5, 2010, Defendants timely filed their Brief in Opposition to Plaintiffs’ Motion for Summary Judgment, their Response to Plaintiffs’ Local Rule 56.1 Statement of Facts, their Supplemental Statement of Facts, and five

declarations, including two exhibits to those declarations. Also on Monday, April 5, Defendants attempted to file three deposition transcripts, namely—the deposition of Ms. Nancy Seamans; the deposition of Ms. Laura Burtle; and the January 15, 2010 expert deposition of Ms. Debra Mariniello. The Seamans and Burtle deposition had been previously filed with the court as Dkt. No. 174 and Dkt. No. 169, respectively.

Defendants made a good faith effort to file all three exhibits in a single document on the evening of April 5. However, Defendants' attempt to do so failed, likely because of the large file sizes. Defendants proceeded to file the exhibits (deposition transcripts) separately. The Mariniello deposition and the Burtle depositions were filed by 12:30 a.m. on April 6. (The Burtle deposition was filed in two parts.) The Seamans deposition (Dkt. No. 174) was inadvertently omitted. Defendants are filing the Seamans deposition transcript concurrently with this Motion.

Today, April 6, 2010, Defendants spoke by telephone to counsel for Plaintiffs and disclosed the filing problems encountered yesterday evening. Defendants informed Plaintiffs of their intent to file this motion. Plaintiffs stated that they would not oppose this motion for a one day extension based on timeliness, but reserved all other rights, including the right to object on other

grounds. Accordingly, Defendants submit that good cause exists and that this motion for a one day extension of time should be granted.

Respectfully submitted this 6th day of April, 2010.

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*Attorneys for Defendants*

APPROVED:

DATE: April 7 2010

  
ORINDA D. EVANS  
UNITED STATES DISTRICT JUDGE