

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

ANDREW J.J. WOLF, R. HANS
KRUGER, and DAVID S. BEGLEY,

Plaintiffs,

v.

C.L. "BUTCH" OTTER; LAWRENCE
WASDEN; IDAHO STATE BOARD OF
CORRECTIONS; ROBIN SANDY, J.R.
VAN TASSEL; JAY NEILSON; IDAHO
COMMISSION OF PARDONS AND
PAROLE; OLIVIA CRAVEN; BILL
YOUNG; MARK FUNAIOLE; JANE
DRESSEN; NORMAN LANGERAK;
MIKE MATTHEWS; BRENT REINKE;
CORRECTIONS CORPORATION OF
AMERICA, INC.; TIM WENGLER;
CORRISON INC., each sued in their
individual and official capacities and
their successors in office,

Defendants.

Case No. 1:12-cv-00526-BLW

MEMORANDUM DECISION AND
ORDER RE PLAINTIFFS' MOTION
FOR ENLARGEMENT OF TIME

Before the Court is Plaintiffs' Motion for an Enlargement of Time to Respond to Defendant Kempf's Second Motion for Summary Judgment (Dkt. 192). Defendant filed his second motion for summary judgment on July 29, 2016. *See* Dkt. 178. In the ensuing months, plaintiffs have not filed a substantive response to the motion. Instead, in August 2016, plaintiffs filed a motion asking for an extension of time in which to respond. *See* Dkt. 192. But plaintiffs did not ask for a date certain; instead, they asked the Court to allow them to file their response 45 days after this Court has ruled on various motions

plaintiffs had filed, including two motions to reconsider and a related motion for leave to conduct further discovery. *See* Dkt. 192, at 3. The Court will resolve these motions in a forthcoming order. In the meantime, however, if plaintiffs wish to file a substantive response to the summary-judgment motion, they shall do so by March 1, 2017.

ORDER

IT IS ORDERED that:

1. Plaintiffs' Motion for an Enlargement of Time to Respond to Defendant Kempf's Second Motion for Summary Judgment (Dkt. 192) is **GRANTED in part and DENIED in part** as follows:
2. The motion is **DENIED** to the extent plaintiffs seek an order allowing them to file a substantive response to the summary-judgment motion after this Court has ruled on plaintiffs' various pending motions in this case.
3. *The motion is GRANTED to the extent the Court will allow plaintiffs until March 1, 2017 to file a substantive response to defendant's pending summary-judgment motion.*
4. Defendant's optional reply brief is due by **12:00 p.m. on March 8, 2017.**



DATED: February 14, 2017

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill
Chief Judge
United States District Court