

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

BIG HAT BOOKS, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 1:08-cv-0596 SEB-TAB
	)	
PROSECUTORS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**Plaintiffs' Motion to Extend Time to Petition for Attorneys' Fees Pursuant to  
42 U.S.C. § 1988**

Come now plaintiffs, by counsel, and say that:

1. On July 1, 2008, this Court entered judgment for plaintiffs in this cause.
2. Plaintiffs intend to petition for attorneys' fees in this cause as prevailing parties pursuant to 42 U.S.C. § 1988.
3. Pursuant to Rule 54(d) of the Federal Rules of Civil Procedure, the petition for costs and fees must be filed no later than fourteen (14) days after entry of the Judgment, or by July 15, 2008.
4. Defendants have announced publicly that they will not be appealing the Judgment in this cause.
5. Kenneth J. Falk has spoken to David Arthur, attorney for defendants, and has asked that the time within which plaintiffs must petition for attorneys' fees be extended for forty-five (45) days, to and including August 29, 2008, so that the parties can attempt to resolve the fee issue without the need for a formal petition.
6. David Arthur has indicated that defendants have no objection to this extension

WHEREFORE, plaintiffs request that the time within which they must file their petition for attorneys' fees be extended for forty-five (45) days to, and including, August 29, 2008, and for all other proper relief.

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**Certificate of Service**

I hereby certify that on this 7th day of July, 2008, a copy of the foregoing was filed electronically with the Clerk of this Court. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system and the parties may access this filing through the Court's system.

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