

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PUBLIC CITIZEN, INC; MORRIS BART; *
MORRIS BART, L.L.C.; WILLIAM N. *
GEE, III; and WILLIAM N. GEE, III, *
LTD.; *

Plaintiffs, *

VERSUS *

LOUISIANA ATTORNEY *
DISCIPLINARY BOARD; BILLY R. *
PESNELL, in his official capacity as Chair *
of the Louisiana Attorney Disciplinary *
Board; and CHARLES B. PLATTSMIER, *
in his official capacity as Chief *
Disciplinary Board's Office of Disciplinary *
Counsel; *

Defendants. *

CIVIL ACTION NO. 08-4451

SECTION "F"

JUDGE FELDMAN

MAGISTRATE WILKINSON

**CONSENT MOTION TO EXTEND TIME TO RESPOND TO COMPLAINT, WITH
INCORPORATED MEMORANDUM AND LOCAL RULE 7.9 CERTIFICATE**

Defendants, the Louisiana Attorney Disciplinary Board, Billy R. Pesnell, and Charles B. Plattsmier, fully reserving any and all defenses, by undersigned counsel, and pursuant to Rule 7.9 of the Local Rules of the United States District Court for the Eastern District of

Louisiana, hereby move the Court for an Order extending the time by which Defendants must respond to Plaintiffs' Complaint in the above-captioned matter.

1. Plaintiffs filed their Complaint in the Eastern District of Louisiana on or about September 23, 2008.

2. Defendants Billy R. Pesnell and Charles B. Plattsmier were served with Plaintiffs' Complaint on or about September 25, 2008. Responsive pleadings therefore will be due on October 15, 2008.

3. Counsel for Defendants, Kathryn M. Knight, contacted co-counsel for Plaintiffs, Dane S. Ciolino, on October 10, 2008, on behalf of Defendants, to request his consent to the relief requested in this Motion. On October 13, 2008, Ms. Knight received an e-mail from Mr. Ciolino and spoke with co-counsel for Plaintiffs, Gregory Beck, who consented to this Motion and agreed that Defendants, the Louisiana Attorney Disciplinary Board, Billy R. Pesnell, and Charles B. Plattsmier, shall have an additional twenty (20) days, or until November 4, 2008, to respond to Plaintiffs' Complaint.

4. This extension will not prejudice any of the parties, nor will it delay the proceedings, and Defendants, the Louisiana Attorney Disciplinary Board, Billy R. Pesnell, and Charles B. Plattsmier, have not previously requested an extension of time to respond to Plaintiffs' Complaint.

5. Based on the foregoing, good cause exists pursuant to Local Rule 7.9 for the granting of this Motion.

WHEREFORE, Defendants, the Louisiana Attorney Disciplinary Board, Billy R. Pesnell, and Charles B. Plattsmier, respectfully move this Court for an extension of time through November 4, 2008, to respond to Plaintiffs' Complaint.

Dated: October 14, 2008

Respectfully submitted,

/s/ Kathryn M. Knight

Phillip A. Wittmann, 13625

Kathryn M. Knight, 28641

Matthew S. Almon, 31013

Of

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and

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(pro hac vice admission to be filed)

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*Attorneys for the Louisiana Attorney
Disciplinary Board, Billy R. Pesnell, and
Charles B. Plattsmier*

CERTIFICATE

I hereby certify that on this 14th day of October, 2008, a copy of the foregoing Consent Motion to Extend Time to Respond to Complaint with Incorporated Memorandum and Local Rule 7.9 Certificate has been served upon each counsel of record by notice of electronic filing generated through the CM/ECF system, and/or by United States mail, facsimile, or e-mail for those counsel who are not participants in the CM/ECF system.

/s/ Kathryn M. Knight