

FILED
U.S. DISTRICT COURT
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
2007 OCT 16 A Baltimore Division

ALBERT SNYDER, CLERK'S OFFICE AT BALTIMORE)
)
 By Plaintiff _____ DEPUTY)
)
 FRED W. PHELPS, SR., et al,)
)
 Defendants.)

Case No. 1:06-CV-01389-RDB

DEFENDANTS FRED W. PHELPS AND WESTBORO BAPTIST CHURCH'S
MOTION TO EXTEND OCTOBER 17 DEADLINE TO THE END OF THE
EVENING

Defendants Fred W. Phelps, Sr. and Westboro Baptist Church, Inc. (collectively "Defendants") respectfully move to give all parties until the end of October 17, 2007 (at 11:59 p.m.) rather than close of business on October 17 to file proposed jury instructions, voir dire questions, and any two-page letter concerning having expert witnesses in the courtroom during other witnesses' testimony, for the following grounds:

1. In open court on October ¹⁵ 17, the Court gave a deadline of the close of business on October 17 for the above-listed filings.
2. After looking more closely at his calendar, undersigned counsel realistically needs until the end of the evening of October 17 to complete the above-listed filings. Undersigned counsel will be in court for two different matters on October 16 in the morning and afternoon (before the court provided the above-listed deadline, undersigned counsel was under the mistaken impression that the October 16 afternoon matter was

GRANTED this 16th day of October 2007

Richard D. Bennett
Richard D. Bennett
United States District Judge

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going to be rescheduled by phone arrangement). Undersigned counsel also was prescheduled to be out of the office the afternoon of October 17.

3. After the October 15 hearing, all defendants agreed to attempt for undersigned counsel to submit the proposed voir dire questions and jury instructions for all defendants. This will assist administrative efficiency, but will also add additional steps for undersigned counsel and the *pro se* defendants to communicate for preparing the final drafts of said filings.

4. All represented parties have access to the CM/ECF 24-hour filing system, which is the system all defendants expect to use — through undersigned counsel — in filing the above-listed documents.

WHEREFORE, Defendants respectfully move to extend the above-listed October 17 deadline to the end of the evening on October 17, 2007.

Respectfully submitted,

/s/
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion was served by the CM/ECF filing system (and by mail to the pro se defendants) on October 16, 2007, to:

Sean E. Summers, Esq.
Paul W. Minnich, Esq.
Craig Tod Trebilcock, Esq.

Ms. Becky Phelps-Davis
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Topeka, KS 66604

Ms. Shirley Phelps-Roper
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_____/s/_____
Jonathan L. Katz