

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

AMERICAN FREEDOM DEFENSE  
INITIATIVE; *et al.*,

Plaintiffs,

v.

SUBURBAN MOBILITY AUTHORITY  
for REGIONAL TRANSPORTATION  
("SMART"), *et al.*,

Defendants.

No. 2:10-cv-12134-DPH-MJH

**PLAINTIFFS' MOTION  
FOR LEAVE TO FILE  
EXCESS PAGES**

Hon. Denise Page Hood

Magistrate Judge Hluchaniuk

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*Counsel for Defendants*

Plaintiffs, by and through their undersigned counsel, hereby file this motion pursuant to Local Rule 7.1(d)(3), requesting permission to file a response brief in excess of 25 pages, but not to exceed 40 pages, in opposition to Defendants' motion for summary judgment (Doc. No. 57).

In support of this motion, Plaintiffs show unto this court the following:

1. On August 15, 2013, the parties filed cross-motions for summary judgment. (Doc. Nos. 57 & 58). Responses are due on or before September 5, 2013.

2. Defendants' brief in support of their motion for summary judgment was 37 pages in length, excluding the signature page. Prior to filing their brief, Defendants requested (Doc. No. 56), and this court granted (Doc. No. 59), permission to file a brief in excess of the page limit.

3. In order to properly respond to Defendants' motion, Plaintiffs will need additional pages beyond the permitted 25 pages for a response, but not to exceed 40 pages.

4. Allowing these extra pages will permit Plaintiffs to more fully respond to Defendants' arguments and this will invariably assist the court in resolving these motions.

WHEREFORE, Plaintiffs hereby request that the court grant this motion, permitting Plaintiffs to file a response brief in this matter not to exceed 40 pages.

Respectfully submitted,

AMERICAN FREEDOM LAW CENTER

/s/ Robert J. Muise

Robert J. Muise, Esq. (P62849)

/s/ David Yerushalmi

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/s/ Erin Mersino

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## **CERTIFICATE OF SERVICE**

I hereby certify that on August 30, 2013, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. I further certify that a copy of the foregoing has been served by ordinary U.S. mail upon all parties for whom counsel has not yet entered an appearance electronically: none.

**AMERICAN FREEDOM LAW CENTER**

/s/ Robert J. Muise  
Robert J. Muise, Esq.