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 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10 **MR. FRANKLIN PAULUS,** )  
 ) **Case No.2:11-cv-00903-GMN-VCF**  
 11 **Plaintiff,** )  
 ) **MOTION FOR EXTENSION OF TIME**  
 12 **v.** ) **(First Request)**  
 )  
 13 **UNITED STATES DEPARTMENT OF** )  
**EDUCATION, et al.,** )  
 14 )  
**Defendants.** )  
 15 \_\_\_\_\_ )

16 **COMES NOW** Defendant, United States Department of Education,  
 17 by and through Daniel G. Bogden, United States Attorney for the  
 18 District of Nevada, and Carlos A. Gonzalez, Assistant United  
 19 States Attorney, and respectfully moves for a thirty (30) day  
 20 extension of time to and including February 29, 2012, in which to  
 21 file a responsive pleading to Plaintiffs' Complaint.

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1 In support of this request for an extension of time,  
2 Defendants rely upon the Memorandum of Points and Authorities set  
3 forth below.

4 DATED this 30<sup>TH</sup> day of January 2012.

5 Respectfully submitted,

6 DANIEL G. BOGDEN  
7 United States Attorney

8 /s/ CARLOS A. GONZALEZ  
9 Carlos A. Gonzalez  
10 Assistant United States Attorney  
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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 **I. PROCEDURAL BACKGROUND**

3 Plaintiff filed his complaint on or around June 6, 2011.  
4 The summons and complaint were served on the United States  
5 Attorney's Office on November 29, 2011.

6 The due date for the Defendant of Education filing of a  
7 responsive pleading is January 30, 2011.

8 **II. ARGUMENT**

9 The Federal Rules of Civil Procedure provide for an  
10 enlargement of time for cause shown.

11 When an act may or must be done within a specified  
12 time, the court may, for good cause, extend the  
13 time . . . if a request is made, before the original  
14 time or its extension expires . . . .

15 Fed. R. Civ. P., Rule 6(b).

16 This request is made prior to the expiration of time  
17 permitted to respond to Plaintiff's Complaint.

18 Presently, the Department of Education's responsive  
19 pleading to the complaint is near completion. However, some of  
20 the exhibits needed to document defendants assertions are in the  
21 process of being redacted and forwarded to undersigned counsel  
22 for its inclusion in the defendant's responsive pleading.

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1 **III. CONCLUSION**

2 Therefore, the Defendant respectfully request that this  
3 honorable Court grant an additional thirty (30) day extension of  
4 time, up to and including February 29, 2011, to respond to  
5 Plaintiff's Complaint.

6 DATED this 30<sup>th</sup> day of January 2012.

7 Respectfully submitted,  
8 Daniel G. BOGDEN  
9 United States Attorney

10 //S/ CARLOS A. GONZALEZ  
11 CARLOS A. GONZALEZ  
12 Assistant United States Attorney

13 IT IS SO ORDERED:

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15 \_\_\_\_\_  
16 UNITED STATES MAGISTRATE JUDGE

17 DATE: 1-31-12 \_\_\_\_\_  
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