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12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 MELVIN KORNBERG, )  
15 Plaintiffs, ) Case No: 2:12-cv-01961-JAD-PAL  
16 v. )  
17 UNITED STATES OF AMERICA, *et al.* )  
18 Defendants. )  
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20 **FEDERAL DEFENDANTS' MOTION FOR EXTENSION OF TIME**  
21 **(Third Request)**

22 The United States of America respectfully requests a brief extension of time until February 13,  
23 2015, for the parties to file dispositive motions.

24 In support of the instant Motion, the United States submits the following:

- 25 1. This Motion is brought in order to accommodate the undersigned counsel for the Federal  
26 Defendants.

1           2.       Since the close of discovery the parties have been attempting to reach a compromise  
2 settlement in this matter. Two previous extensions to the dispositive motions deadline were sought in  
3 order to allow the parties to continue to pursue settlement, the second of which has not yet been ruled  
4 upon. ECF #35. Unfortunately, for the time being, the parties are unable to reach a settlement  
5 agreement, and have determined to move forward with filing dispositive motions with the intent to  
6 reconvene discussions as the dispositive motion process transpires.

7           3.       Federal Defendants had been drafting and assembling a dispositive motion while  
8 settlement discussions were ongoing but, hoping discussions would be fruitful, had not finalized the  
9 briefing. This extension of time is requested to allow Government counsel a very brief amount of  
10 additional time to finalize its dispositive motion and obtain a few minor pieces of information from the  
11 Federal Defendant that is necessary but had not been obtained in time to adequately finalize and file its  
12 Motion.

13           4.       Additionally, Government Counsel received notice yesterday that a shortened due date  
14 has been set in another matter, *Garity v. USPS*, Case No. 2:11-cv-01805-RFB-CWH, requiring additional  
15 briefing to be submitted to the Court in that matter by 5 pm tomorrow, February 6, 2015. As such,  
16 resources with which to accomplish briefing in that matter and the finalization of Federal Defendants'  
17 dispositive motion have been very limited.

18           5.       Federal Defendant does not object to any additional time Plaintiff may need to file an  
19 Opposition and would welcome a briefing schedule if that would help place structure into the process  
20 that has been postponed while the parties attempt settlement.

21           6.       This extension would create a February 13, 2015 due date for dispositive motions. The  
22 parties would then file a Joint Pretrial Order, if necessary, thirty (30) days following the Court's Order on  
23 the parties' dispositive motions.

24           7.       The instant motion is filed in good faith and not for the purposes of undue delay.  
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