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

11
 12 ROBERT H. ODELL, JR., *et al.*,)
)
 13 Plaintiffs,)
)
 14 v.) Case No. 2:15-cv-1793-RFB-GWF
)
 15 SYLVIA M. BURWELL, SECRETARY OF)
 16 HEALTH AND HUMAN SERVICES, *et al.*,)
)
 17 Defendants.)
)

18
 19 **JOINT MOTION FOR EXTENSION OF TIME TO FILE MOTION**
AND PROPOSED BRIEFING SCHEDULE
 20 **(First Request)**

21 Defendants Sylvia M. Burwell, Secretary of Health and Human Services, and U.S. Department of
 22 Health and Human Services, and plaintiffs, by and through undersigned counsel, respectfully move
 23 pursuant to Fed. R. Civ. P. 6(b)(1), for enlargement of time to file opposition and reply motions and to set
 24 a proposed briefing schedule. The Parties stipulate and propose the following schedule:

25 Plaintiffs' Opposition to Defendant's Motion to Dismiss due November 30, 2016.
 26

1 Defendants' Reply to Plaintiffs' Opposition due December 22, 2016.

2 1. This request is made in good faith and not for purposes of delay.

3 2. On October 21, 2016, Defendants filed a motion to dismiss plaintiffs' Amended Verified
4 Complaint.

5 3. Plaintiffs have requested an extension of their current deadline to respond to Defendants'
6 motion to dismiss, which has not been ruled upon. This motion incorporates plaintiffs' extension request
7 and the requested deadline.

8 4. The Secretary has not previously requested or been given an extension of time to reply to
9 Plaintiffs' anticipated opposition.

10 5. There are no other previously scheduled deadlines in this case.

11 Dated: November 4, 2016

12 DANIEL G. BOGDEN
13 United States Attorney

14 /s/ Roger W. Wenthe
15 ROGER W. WENTHE
16 Assistant United States Attorney

17 /s/ George K. Brew
18 GEORGE K BREW
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22 (904) 354-4741

23 IT IS SO ORDERED:

24 
25 RICHARD F. BOULWARE, II
26 United States District Judge

DATED this 7th day of November, 2016.

1 **CERTIFICATE OF SERVICE**

2 The undersigned certifies that the following were served with a copy of the foregoing
3 document on the date and by the method of service identified below:

4 CM/ECF

5 All counsel of record

6 Dated: November 4, 2016

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8 /s/ Roger W. Wenthe
9 ROGER W. WENTHE
Assistant United States Attorney

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