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 9 Attorneys for Defendant

10 **IN THE UNITED STATES DISTRICT COURT**
 11 **FOR THE DISTRICT OF ARIZONA**

12 Thomas Kim,
 13 Plaintiff,
 14 v.
 15 United States of America,
 16 Defendant.

2:16-cv-00778-APG-CWH

**MOTION FOR EXTENSION OF TIME
 TO REPLY TO PLAINTIFF’S
 RESPONSE TO MOTION TO DISMISS
 (First Request)**

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 18 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendant respectfully
 19 requests that the Court extend by 30 days the time within which Defendant must reply to
 20 Plaintiff’s response to Defendant’s Motion to Dismiss. This is Defendant’s first request for
 21 additional time to reply.

22 In support of this motion, Defendant relies upon the following:

- 23 1. Federal Rule of Civil Procedure 6(b)(1)(A) permits a party to extend a deadline
 24 prior to its expiration upon a showing of “good cause”.
- 25 2. Plaintiff’s response to the pending motion to dismiss was filed on October 18,
 26 2016, making the reply due on October 25, 2016.
- 27 3. Due to other case commitments, travel, and scheduling issues, counsel for
 28 Defendant will not have sufficient time to adequately reply to Plaintiff’s response.

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- 4. Counsel for Plaintiff does not oppose this extension of time.
- 5. This extension is requested in good faith and not for purposes of delay.

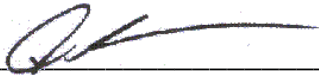
Respectfully submitted this 25th day of October, 2016.

JOHN S. LEONARDO
United States Attorney
District of Arizona

s/ Katherine V. Foss
KATHERINE V. FOSS
J. COLE HERNANDEZ
Special Attorneys to the Attorney General

IT IS SO ORDERED:

Defendant's motion for extension of time to reply to Plaintiff's Opposition to Defendant's Motion to Dismiss (Doc. 22) is hereby granted. Defendant's reply shall be due on or before November 24, 2016.



UNITED STATES DISTRICT JUDGE
Dated: October 26, 2016.