

1 JOHN S. LEONARDO
United States Attorney
2 District of Arizona
KATHERINE V. FOSS
3 Assistant U.S. Attorney
Arizona State Bar No. 029124
4 J. COLE HERNANDEZ
Assistant US Attorney
5 Arizona State Bar No. 018802
405 W. Congress Street, Suite 4800
6 Tucson, Arizona 85701-5040
Telephone: (520) 620-7300
7 Fax: (520) 620-7138
E-mail: Katherine.foss@usdoj.gov
8 cole.hernandez@usdoj.gov
9 Attorneys for Defendant United States

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

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

Case No. 2:16-cv-778-APG-CWH

**MOTION FOR EXTENSION OF TIME
TO REPLY TO PLAINTIFF'S
RESPONSE TO MOTION TO DISMISS
(Second Request)**

17
18 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendant respectfully
19 requests that the Court extend by 14 days the time within which Defendant must reply to
20 Plaintiff's response to Defendant's Motion to Dismiss. This is Defendant's second request
21 for 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. The Court granted Defendant's
27 Motion for Extension of Time to Reply (Doc. 24), extending the deadline until
28 November 24, 2016.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 3. Due to preparation for an upcoming trial, other case commitments, and other required travel and absences from the office, counsel for Defendant will not have sufficient time to reply to Plaintiff's response.
- 4. Counsel for Plaintiff agrees to this extension of time.
- 5. This extension is requested in good faith and not for purposes of delay.

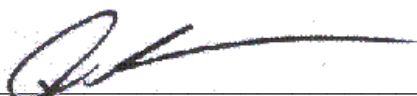
Respectfully submitted this 23rd day of November, 2016.

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 December 8, 2016.


UNITED STATES DISTRICT JUDGE
Dated: November 28, 2016.