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IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF UTAH – NORTHERN DIVISION

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A.W. and C.W., by and through their mother  
 Tina Weber, individually and on behalf of  
 others similarly situated,

Plaintiffs,

v.

DAVIS SCHOOL DISTRICT,

Defendant.

**UNOPPOSED MOTION TO EXTEND  
 TIME TO RESPOND TO PLAINTIFFS’  
 MOTION FOR CLASS CERTIFICATION**

Case No. 1:12-cv-242-EJF

Magistrate Judge Evelyn Furse

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Defendant, The Board of Education of Davis School District (the “District”), moves the court pursuant to Fed. R. Civ. P. 6 (b)(1) and DUCiv.R. 7-1(b)(1), for an extension of time until **February 1, 2013** to respond to Plaintiffs’ Motion for Class Certification ([doc. 13](#)). Good cause exists for the extension, as factual investigation into the claims and defenses is ongoing, but will be delayed due to the intervening winter holidays. Furthermore, a response to the motion for class certification requires investigation and potential discovery, regarding Plaintiffs’ allegations

that the class is numerous, the factual and legal claims are common and typical, and the proposed representative is adequate. This investigation cannot be accomplished in the short time provided to respond to the motion. The District agrees not to seek further extension absent agreement by Plaintiffs or compelling circumstances. Plaintiffs have been consulted and do not object to the length of the extension period.

DATED this 19th day of December, 2012.

MARK L. SHURTLEFF  
UTAH ATTORNEY GENERAL

/s/ Kyle J. Kaiser  
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