

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

COMMONWEALTH OF VIRGINIA,)
EX REL. KENNETH T. CUCCINELLI, II,)
in his official capacity as Attorney)
General of Virginia,)
Plaintiff,)
)
v.)
)
KATHLEEN SEBELIUS,)
Secretary of the Department of)
Health and Human Services,)
in her official capacity,)
)
Defendant.)
_____)

No. 3:10-cv-00188-HEH

MOTION FOR EXTENSION OF TIME TO FILE A MOTION FOR LEAVE TO PARTICIPATE AS *AMICI CURIAE* OF FORMER UNITED STATES ATTORNEYS GENERAL WILLIAM BARR, EDWIN MEESE, III, AND DICK THORNBURGH, IN SUPPORT OF PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

Former United States Attorneys General William Barr, Edwin Meese, III, and Dick Thornburgh, respectfully move this Court to extend the deadline to file a motion for leave to participate as *amici curiae* in this case until October 8, 2010.

As set out more fully in the accompanying memorandum, movants wish to file a motion for leave to participate as *amici curiae* in support of Plaintiff’s motion for summary judgment and believe their views will assist the Court. They respectfully submit that the modest extension sought is warranted in light of the significance of the issues implicated in this case and the administrative difficulty created by locating counsel and coordinating the production of an amicus brief among multiple parties.

WHEREFORE, movants request that their motion for an extension of time to file a motion for leave to participate as *amici curiae* be granted.

DATED: October 4, 2010

Respectfully submitted,

By: /s/ Edwin L. Fountain
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CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of October, 2010, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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