

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

**DREW ADAMS, a minor, by and through  
his next friend and mother, ERICA  
ADAMS KASPER,**

**Plaintiff,**

**Case No.: 3:17-cv-00739-TJC-JBT**

**v.**

**THE SCHOOL BOARD OF ST. JOHNS  
COUNTY, FLORIDA,**

**Defendant.**

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**DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE AN  
ANSWER TO COUNT I OF PLAINTIFF’S COMPLAINT**

Defendant, by and through its undersigned counsel and pursuant to Fed. R. Civ. P. 6(b) and M. D. Fla. Loc. R. 3.01(a) and 3.01(g), moves this Court for a two-business day extension of time to file an Answer to Count I of Plaintiff’s Complaint. In support hereof, Defendant states as follows:

1. Plaintiff filed his Complaint on June 28, 2017. [Doc. 1]. In the Complaint, Plaintiff alleges that Defendant violated his rights under the Equal Protection Clause of the Fourteenth Amendment (Count I) and Title IX of the Educational Amendments of 1972 (“Title IX”)(Count II) by discriminating against him based on his gender identity. [Doc. 1 at pp. 19-23, ¶¶65-83].

2. Following the filing of the Complaint, the parties directed their efforts toward a preliminary injunction that Plaintiff sought in this matter. [Docs. 22, 42].

3. On August 10, 2017, the Court held a hearing on Plaintiff's Motion for Preliminary Injunction. [Doc. 22]. At the conclusion of the hearing, Defendant represented to the Court that it anticipated filing a motion to dismiss Plaintiff's Title IX claim and filing an answer to Plaintiff's Equal Protection Clause claim. Defendant's undersigned counsel further represented that it believed it could accomplish these tasks by August 18, 2017. Following the hearing, the Court set August 18, 2017, as the deadline for Defendant to respond to the Complaint. [Doc. 50].

4. Since the hearing, Defendant has worked in good faith to meet the August 18, 2017, deadline. In this regard, Defendant will be filing a motion to dismiss Plaintiff's Title IX claim by tomorrow's deadline. However, Defendant needs a brief extension of time to continue working on its answer to Plaintiff's Equal Protection claim in order to present an appropriate response. As such, Defendant respectfully requests that the Court extend the deadline for Defendant to respond to Count I (Equal Protection) from August 18, 2017, to August 22, 2017.

5. On August 17, 2017, counsel for the parties met telephonically to address scheduling issues in this case. During the discussion, Defendant's counsel raised the issue of needing additional time to respond to Count I and requested Plaintiff's position regarding extending the deadline to August 22, 2017. Plaintiff's counsel subsequently contacted Defendant's counsel and advised that Plaintiff does not oppose the relief sought herein.

6. Defendant recognizes that the Court's desire is to proceed expeditiously. Defendant is by no means requesting this brief extension to cause any delay. Although the parties will not be filing the proposed case management order until tomorrow, Defendant

submits granting the instant relief will in no way impact the schedule in this case or the soon-to-be-set trial.

**CERTIFICATE OF COUNSEL CONFERENCE**

Pursuant to M.D. Fla. Loc. R. 3.01(g), the undersigned certifies that on August 17, 2017, he conferred with Plaintiff's counsel with respect to the relief requested herein. Plaintiff's counsel advised that Plaintiff does not oppose the relief sought.

**MEMORANDUM OF LAW IN SUPPORT**

Defendant's request falls within the scope of Fed. R. Civ. P. 6(b) which provides the Court with wide discretion to enlarge the time for doing an act required under the Federal Rules of Civil Procedure. Based on the foregoing, Defendant respectfully submits that grounds exist to grant the extension of time requested. Defendants are not seeking to delay this proceeding; rather, they are seeking a brief extension so that they may fully and properly respond to Plaintiff's Equal Protection Claim.

**WHEREFORE**, Defendant respectfully requests the entry of an Order extending the deadline for Defendant to file a response to Count I (Equal Protection) of the Complaint up to and including August 22, 2017, along with any other relief the Court deems appropriate.

Dated this 17th of August, 2017.

Respectfully submitted,

*/s/ Terry J. Harmon*

**TERRY J. HARMON**

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 17th day of August, 2017, a true and correct copy of the foregoing was electronically filed in the U.S. District Court, Middle District of Florida, using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

*/s/ Terry J. Harmon*

**TERRY J. HARMON**