

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD W. REYNOLDS, et al.,

Plaintiffs,

-vs-

GREG TALBERG, et al.,

Defendants.

MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE, BRIEF IN
SUPPORT, AND PROOF OF SERVICE

Case No.: 1:18-cv-00069-PLM-PLG

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MOTION FOR EXTENSION OF TIME TO FILE RESPONSE

NOW COME the above-named Plaintiffs, by and through their undersigned counsel, and together bring this Motion for Extension of Time to File Response pursuant to Western District of Michigan Local Rules 7.1(c) and 7.2(c), and in support thereof state the following:

1. Defendants filed their Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) on February 28, 2018.

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2. The American Civil Liberties Union (ACLU), on behalf of two organizations, filed a Motion to Intervene and a corresponding Motion to Dismiss on March 12, 2018.

3. Plaintiffs are currently preparing their response to the ACLU's Motion to Intervene.

4. In order to prevent unnecessary and duplicative work if the Court were to grant the ACLU's motion, Plaintiffs request that they be allowed to respond to all Motions to Dismiss at the same time.

5. Plaintiffs proposed to Defendants' counsel that Plaintiffs have 28 days from the date the Court issues an order regarding the ACLU's intervention to respond to any Motion to Dismiss.

6. Plaintiffs sought concurrence for this minor extension pursuant to Western District Local Rule 7.1(d), however, Defendants refused.

7. Plaintiffs request that their motion be granted pursuant to all the reasons in the attached brief.

WHEREFORE, Plaintiffs request this Honorable Court grant Plaintiffs' Motion for Extension of Time to File Response, give Plaintiffs 28 days after this Court rules on the issue of intervention to respond to all Motions to Dismiss, and grant any other relief that is just and equitable.

Respectfully submitted,

GREAT LAKES JUSTICE CENTER:

/s/ David A. Kallman

By: David A. Kallman
Attorney for Plaintiffs

(P34200)

BRIEF IN SUPPORT

There are many issues raised in this case and the briefing process will be long and time consuming. So as to avoid any duplicative work in having to possibly respond to two separate Motions to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6), it would be beneficial to only have to prepare one response to any Motions to Dismiss. Currently, the response to the ACLU's Motion to Intervene is due on March 26, 2018 and the response to Defendants' Motion to Dismiss is due on March 28, 2018.

In order to prepare a proper response to all possible Motions to Dismiss, Plaintiffs request that they be given 28 days to respond to the Motions to Dismiss after this Court has ruled on the issue of intervention. This Honorable Court may extend time limits relating to motions pursuant to Western District of Michigan Local Rule 7.1(c). See also, *Garvins v. Hofbauer*, No. 2:09-CV-48 (Western District of Michigan, April 30, 2012).

PROOF OF SERVICE

David A. Kallman hereby states that he did serve a copy of Plaintiffs' Motion for Extension of Time to File Response and Brief in Support on March 19, 2018 pursuant to Fed. R. Civ. P. 5(d) via the United States District Court for the Western District of Michigan electronic filing system.

/s/ David A. Kallman

By: David A. Kallman
Attorney for Plaintiffs

(P34200)

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