

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAMES DEREK MIZE, et al.,

*Plaintiffs,*

v.

MICHAEL R. POMPEO, et al.,

*Defendants.*

Civil Action No. 1:19-cv-3331-MLB

**PLAINTIFFS' UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE RESPONSE TO DEFENDANTS'  
MOTION TO DISMISS THE COMPLAINT**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure (FRCP), Plaintiffs James Derek Mize, Jonathan Daniel Gregg and their minor child S.M.-G. (collectively, "Plaintiffs"), respectfully request that the Court grant Plaintiffs an enlargement of time of seven days, to and including November 25, 2019, to respond to Defendants' Motion to Dismiss the Complaint (ECF No. 32).

Plaintiffs have proposed a set of coordinating briefing schedules to Defendants in this matter and in a related case, *Kiviti v. Pompeo*, Case No. 8:19-cv-02665 (D. Md.), that presents similar issues regarding the constitutional rights of married, same-sex U.S. citizen couples and their families and regarding Defendants' denial of citizenship to certain children in those families who were

born abroad.

While counsel for Plaintiffs has been working diligently to prepare a response to Defendants' motion to dismiss, which implicates a number of statutory interpretation and constitutional arguments, Plaintiffs represent that this requested extension of time, consistent with Plaintiffs' proposed schedules (which Defendants are evaluating), is necessary for Plaintiffs to properly respond to Defendants' numerous arguments and will promote efficient briefing and resolution of this matter and of the related *Kiviti* matter.

Plaintiffs submit that this extension is not requested for the purpose of undue delay, and further submit that the schedule will not prejudice the conduct of the litigation. This is Plaintiffs' first motion to extend any deadlines in the case. Counsel for Defendants has represented that Defendants do not oppose the requested enlargement of time.

Good cause, therefore, exists for Plaintiffs' request. Accordingly, Plaintiffs request that the Court extend Plaintiffs' time to file a response to Defendants' Motion to Dismiss the Complaint.

Dated: November 15, 2019

Respectfully submitted,

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**CERTIFICATE OF COMPLIANCE**

I certify that the documents to which this certificate is attached have been prepared with one of the font and point selections approved by the Court in LR 5.1B for documents prepared by computer.

By: /s/ Tara Borelli

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**[PROPOSED] ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION  
FOR EXTENSION OF TIME TO FILE RESPONSE TO DEFENDANTS'  
MOTION TO DISMISS THE COMPLAINT**

Before the Court for consideration is Plaintiffs' Unopposed Motion for Extension of Time to File Response to Defendants' Motion to Dismiss the Complaint. Plaintiffs seek an enlargement of seven days, to and including November 25, 2019, to respond to Defendants' Motion to Dismiss the Complaint.

For good cause shown, Plaintiffs' Unopposed Motion for Extension of Time to File Response to Defendants' Motion to Dismiss the Complaint is GRANTED, and

IT IS ORDERED THAT the time in which Plaintiffs must respond to Defendants' Motion to Dismiss the Complaint is November 25, 2019.

SO ORDERED this \_\_\_\_ day of November 2019.

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MICHAEL L. BROWN  
UNITED STATES DISTRICT JUDGE