

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 REPLY IN SUPPORT OF PLAINTIFFS'
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 6(b), 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 March 6, 2020, to file their reply in support of Plaintiffs' Motion for Partial Summary Judgment (ECF No. 44).

On January 17, 2020, Plaintiffs filed a Motion for Partial Summary Judgment (ECF No. 44). On February 14, 2020, Defendants filed their response to Plaintiffs' Motion for Partial Summary Judgment (ECF No. 50). In doing so, Defendants filed a single brief in response to Plaintiffs' Motion for Partial Summary Judgment and in support of their Cross-Motion for Partial Summary

Judgment (*id.*).

Under the stipulated briefing schedule, and consistent with Local Rule 7.1(B), Plaintiffs' reply brief in support of Plaintiffs' Motion for Partial Summary Judgment is due on February 28, 2020. *See* Order Granting Joint Motion To Amend Briefing Schedule (ECF No. 49). Under Local Rule 7.1(B), Plaintiffs' response to Defendants' Cross-Motion for Partial Summary Judgment is due one week later, on March 6, 2020.

For the convenience of the Court, and to avoid duplicative briefing, Plaintiffs request that the Court grant the requested extension to enable them to file a single, combined brief on March 6, 2020 replying in support of Plaintiffs' Motion for Partial Summary Judgment and opposing Defendants' Cross-Motion for Partial Summary Judgment. Good cause exists for the requested extension, which will promote efficient briefing and resolution of this matter. This extension is not requested for the purpose of undue delay, and that the schedule will not prejudice the conduct of the litigation. This is the second motion to amend the briefing schedule with respect to Plaintiffs' motion for partial summary judgment (*see* ECF No. 48). Defendants do not oppose the requested extension.

Accordingly, Plaintiffs request that the Court extend Plaintiffs' time to file a reply in support of Plaintiffs' Motion for Partial Summary Judgment to March 6, 2020.

Dated: February 26, 2020

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Respectfully submitted,

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**[PROPOSED] ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION
FOR EXTENSION OF TIME TO FILE REPLY IN SUPPORT OF
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Before the Court for consideration is Plaintiffs' Unopposed Motion for Extension of Time to File Reply in Support of Plaintiffs' Motion for Partial Summary Judgment. Plaintiffs seek a seven-day extension of time, to and including March 6, 2020, to file a single, combined brief replying in support of Plaintiffs' Motion for Partial Summary Judgment and opposing Defendants' Cross-Motion for Partial Summary Judgment.

For good cause shown, Plaintiffs' Unopposed Motion for Extension of Time to File Reply in Support of Plaintiffs' Motion for Partial Summary Judgment IS GRANTED, and

IT IS ORDERED THAT the time by which Plaintiffs may file a combined brief replying in support of Plaintiffs' Motion for Partial Summary Judgment and

opposing Defendants' Cross-Motion for Partial Summary Judgment is March 6, 2020.

SO ORDERED this ____ day of _____, 2020.

MICHAEL L. BROWN
UNITED STATES DISTRICT JUDGE