

UNITED STATES DISTRICT COURT  
DISTRICT OF VERMONT

_____	)	
JANET JENKINS, et al.,	)	
	)	
Plaintiffs,	)	Docket No. 2:12-cv-00184
	)	
v.	)	
	)	
KENNETH L. MILLER, et al.,	)	
	)	
Defendants.	)	
_____	)	

**INSTANTER UNOPPOSED MOTION OF DEFENDANTS LIBERTY COUNSEL, INC.  
AND RENA M. LINDEVALDSEN FOR LEAVE TO FILE OUT OF TIME  
AND EXCEED PAGE LIMIT IN THEIR RESPONSE IN OPPOSITION TO  
PLAINTIFF’S MOTION TO COMPEL PRODUCTION OF AT&T RECORDS**

Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen (“Defendants”), pursuant to Local Rule 7, respectfully move the Court *instanter* for leave to file out of time and exceed the page limit in their Response in Opposition to Plaintiff’s Motion to Compel Production of AT&T Records, and to accept the Response as filed at ECF Doc. 600.

On November 25 Defendants filed their Second Unopposed Motion for Extension of time to File Response in Opposition to Plaintiff’s Motion to Compel Production of AT&T Records (Doc. 599), seeking a one (1) business day extension of time, to and including November 27, to file the response. Defendants’ undersigned counsel continued working diligently on the response through the November 26 Thanksgiving holiday and the requested November 27 deadline, but encountered unforeseen but unavoidable travel- and technology-related delays pushing the filing one hour forty-four minutes (1:44) beyond the midnight filing deadline. Additionally, due to the numerous important and fact-specific issues involved in the response, the undersigned counsel was unable to complete an appropriately thorough, concise response within the 15-page limit of Local Rule 7(a)(4)(B), resulting in an overage of approximately 3.5 pages.

This motion is not being filed for purposes of undue delay, and the relief sought herein will not adversely affect the progress of this case or prejudice any party. Defendants will consent to any proportionate page limit extension requested by Plaintiff for any reply to Defendants' response.

Prior to filing this motion, the undersigned counsel conferred with counsel for Plaintiff, who indicated that Plaintiff does not oppose the relief requested herein. Therefore, **Defendants' motion is unopposed.**

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this November 30, 2020, I caused a true and correct copy of the foregoing to be electronically filed with this Court. Service will be effectuated on all counsel of record via this Court's ECF/electronic notice system.

/s/ Roger K. Gannam  
*Attorney for Defendants Liberty Counsel, Inc.  
and Rena M. Lindevaldsen*