

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

ASHLEY DIAMOND,)	
)	
Plaintiff;)	CIVIL ACTION FILE NO.:
)	
vs.)	5:20-CV-453-MTT
)	
TIMOTHY WARD, <i>et al.</i> ,)	
)	
Defendants.)	

UNOPPOSED MOTION TO EXTEND FILING DEADLINE

Pursuant to Fed. R. Civ. P. 6(b), Defendants Timothy Ward, Sharon Lewis, Javel Jackson, Ahmed Holt, Robert Toole, Benjamin Ford, Jack Sauls, Brooks Benton, Grace Atchison, Lachesha Smith, and Rodney Jackson (hereinafter, collectively, “Defendants”)¹ hereby request a fourteen-day extension of the deadline to file their answer to Plaintiff’s complaint, through and including February 16, 2021, for the following reasons.

1. On November 23, 2020, Plaintiff initiated this action, pursuant to 42 U.S.C. §1983, in the United States District Court for the Northern District of Georgia. Doc. 1. Plaintiff’s complaint is 105 pages in length and contains 367 paragraphs of allegations. *Id.*
2. On December 1, 2020, the case was transferred, *sua sponte*, to this Court. Docs. 9-10.
3. On December 4, 2020, Plaintiff sent requests for waiver of service of process to Defendants. Defendants waived service of process, and their answer is currently due to be filed on or before February 2, 2021. *See* Docs. 14-24. *See also* Fed. R. Civ. P. 4(d)(3).

¹ One Defendant in this action, Arneika Smith, is represented by separate counsel and is not joining in this motion.

4. On January 15, 2021, the undersigned lead counsel for Defendants, who is primarily responsible for preparing Defendants' answer, learned that he and other members of his family had been exposed to persons who were infected with the COVID-19 virus. During the following week, Defendants' undersigned counsel and multiple members of his family experienced symptoms consistent with COVID-19 infection, and at least one member of counsel's household was confirmed to be infected with the COVID-19 virus. As a result of the COVID-19 exposure and infection, Defendants' counsel and his family, including a toddler and an infant, have been quarantined within their home. While counsel has worked diligently to represent his clients in this and other cases during this time, the required quarantine has interfered with and delayed counsel's preparation of documents for filing in this and other cases.
5. As a result of the delay caused by counsel's necessary quarantine, Defendants require additional time to prepare their answer to Plaintiff's lengthy complaint. Accordingly, Defendants request that the Court extend the deadline for them to file their answer by fourteen days, through and including February 16, 2021.
6. Prior to filing this motion, Defendants' counsel inquired as to whether any other party would oppose the requested extension of time. Both Plaintiff and Defendant Arneika Smith responded, through their respective counsel, that they do not oppose the requested extension.

WHEREFORE, for the foregoing reasons, Defendants request that the Court enter an order extending the deadline for them to file their answer to Plaintiff's complaint through and including February 16, 2021. A proposed order is filed herewith for the Court's consideration.

Respectfully submitted this 27th day of January, 2021.

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	Attorney General	
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CERTIFICATE OF SERVICE

I hereby certify that, on this day, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to all counsel of record, including:

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This 27st day of January, 2021.

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[PROPOSED] ORDER

This matter is before the Court on the Unopposed Motion to Extend Filing Deadline filed by Defendants Timothy Ward, Sharon Lewis, Javel Jackson, Ahmed Holt, Robert Toole, Benjamin Ford, Jack Sauls, Brooks Benton, Grace Atchison, Lachesha Smith, and Rodney Jackson (hereinafter, collectively, “Defendants”). Doc. 33. In their motion, Defendants seek a fourteen-day extension of the deadline to file their answer to Plaintiff’s complaint due to delays associated with their lead counsel and his family being required to quarantine following exposure to the COVID-19 virus. *Id.* Having reviewed Defendants’ motion and finding that good cause has been shown, the Court hereby **GRANTS** Defendants’ motion. The deadline for Defendants to file their answer is hereby extended through and including February 16, 2021.

SO ORDERED, this ____ day of _____, 2021.

MARC T. TREADWELL
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF GEORGIA