

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

ASHLEY DIAMOND,

Plaintiff,

v.

TIMOTHY WARD, *et al.*,

Defendants.

No. 5:20-cv-00453-MTT

PLAINTIFF’S UNOPPOSED MOTION TO EXCEED PAGE LIMIT

Plaintiff Ashley Diamond, by and through her attorneys and with the consent of Georgia Defendants, hereby moves for leave to exceed the page limit for her forthcoming Post-Hearing Brief in support of her Motion for a Preliminary Injunction, ECF 50. Local Rule 7.4 limits all briefs in support of a motion to twenty pages unless leave to exceed is granted by the Court for good cause shown. Plaintiff has good cause to require fifteen additional pages because, despite Plaintiff’s good-faith effort to comply with the twenty-page limit, fifteen pages in excess of the limit are necessary to fully and completely present the arguments, and provide sufficient citations to the record, for the Court’s consideration and resolution of the motion.

Following a two-day hearing on Plaintiff’s Motion for Preliminary Injunction on May 12 and 13, 2021 (“Hearing”), the Court requested the parties file post-hearing briefing on the failure-to-protect issues. Plaintiff’s post-hearing brief organizes two days of hearing testimony, deposition testimony, and particularly important documents within the thousands of pages provided by Defendants prior to and since the hearing to detail fourteen of the sixteen sexual assaults Ms. Diamond alleged as of the time of the Hearing, and Defendants’ actions and inactions in response to each, relevant to the Court’s consideration of deliberate indifference.

In addition, Plaintiff's post-hearing brief provides the Court with brief, but necessary, argument and support for other elements of injunctive relief. While Plaintiff has made a good-faith effort to be concise, given extensive citations to the record and this Court's thorough approach to same, Plaintiff respectfully requests the additional pages in order to properly present the failure-to-protect issues and facilitate the Court's resolution of this request for preliminary relief.

Plaintiff has conferred with counsel for Defendants, excluding Defendant Arneika Smith, whose case is now severed, regarding this Motion for a page extension and they have expressly communicated that they do not oppose this Motion.

CONCLUSION

For the foregoing reasons, Plaintiff's motion to exceed the page limit of her forthcoming Post-Hearing Brief in support of her Motion for a Preliminary Injunction should be granted, and Plaintiff should be permitted to submit a Post-Hearing Brief not to exceed thirty-five (35) pages.

Respectfully submitted.

November 15, 2021

/s/ Elizabeth Littrell

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Counsel for Plaintiff Ashley Diamond

** Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify that, on this date, the foregoing document and all attachments were served on all counsel of record through the Court's CM/ECF system.

/s/ Beth Littrell

Beth Littrell

Counsel for Plaintiff Ashley Diamond