

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

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NICHOLAS HARRISON, et al.,  
Plaintiffs,

v.

LLOYD J. AUSTIN, Secretary of Defense, et al.,  
Defendants.

Civil Action No. 1:18-cv-641 (LMB/IDD)

**PLAINTIFF'S OPPOSITION TO  
DEFENDANTS' MOTION FOR AN ENLARGEMENT OF TIME**

COMES NOW, the Plaintiff, Nicholas Harrison, to file *Plaintiff's Opposition to Defendants' Motion for an Enlargement of Time*, and, in support thereof, states and alleges as follows:

1. *Defendants' Motion for an Enlargement of Time* is a request for an extension of time to respond to *Plaintiff's Motion to Clarify and Enforce*. The reasons outlined by the Defendants for seeking an extension primarily revolve around their need for more time to discuss the case with their clients and to prepare an informed response. Notably, this case has already spanned nearly a decade, during which time Plaintiff has experienced significant delays and challenges.
2. Pursuant to Local Rule 7, requests for extensions of time are generally disfavored and viewed with caution. Defendants have had Plaintiff's official request to convene a Special Selection Board for a significant period of time, nearly a year, yet they are still unwilling to assure the involvement of a suitable authority in the discussions or at the next hearing. Plaintiff deserves closure after such prolonged litigation, and further delay in the proceedings is unreasonable.

3. The Department of Justice boasts of 115,000 employees. Given this vast resource, it is disingenuous to suggest a lack of bandwidth to respond to a pro se motion. Further, there is no apparent obstacle preventing the Department from engaging in a meaningful dialogue with the Plaintiff while simultaneously preparing their response.
4. It is of significant relevance that the Defendants' proposed schedule change would not only impact this case but would also affect related cases, such as the discharged academy cadets, who are observing these proceedings closely. Any further delay would also impose an unnecessary burden on the parties involved in those cases.
5. Plaintiff proposes that the Court deny the *Defendants' Motion for an Enlargement of Time*, thereby allowing the case to progress without further delay. The Plaintiff remains open to meaningful dialogue and looks forward to engaging with the Defendants in discussions while proceeding with the established schedule.

**WHEREFORE**, Plaintiff respectfully requests that this Court deny *Defendants' Motion for an Enlargement of Time* and order any other further relief as the Court deems just and proper.

Respectfully Submitted.

*Nicholas A. Harrison*

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**PROPOSED ORDER DENYING  
DEFENDANTS' MOTION FOR AN ENLARGEMENT OF TIME**

This matter comes before the Court on *Defendants' Motion for an Enlargement of Time* to respond to *Plaintiff's Motion to Clarify and Enforce*. The Court, having reviewed the motion, the Plaintiff's opposition thereto, and the record in this case, and being fully advised in the premises, hereby **FINDS** and **ORDERS** as follows:

1. The *Defendants' Motion for an Enlargement of Time* is a request for an extension which is viewed with caution as per Local Rule 7.
2. This case has spanned nearly a decade, and the Plaintiff deserves closure. Further delay in proceedings is not warranted.
3. The Defendants, represented by the Department of Justice with a reported 115,000 employees, have sufficient resources to respond to a pro se motion and to engage in a meaningful dialogue with the Plaintiff concurrently.
4. The Defendants' proposed extension of time could impose an unnecessary burden on parties involved in related cases who are closely observing these proceedings.

5. Therefore, *Defendants' Motion for an Enlargement of Time* is **DENIED**. The Defendants are ordered to comply with the original schedule for their response to the *Plaintiff's Motion to Clarify and Enforce*.

**SO ORDERED**, this \_\_\_\_ day of \_\_\_\_\_, 2023.

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United States District Court Judge