

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ASA GORDON,

*Plaintiff*

v.

NATIONAL ARCHIVES AND  
RECORDS ADMINISTRATION, *et al.*

*Defendants*

Case 1:16-cv-02458-RJL

**CONSENT MOTION TO EXTEND DEFENDANT'S TIME  
TO FILE A REPLY IN SUPPORT OF ITS MOTION TO DISMISS**

Defendants, the National Archives and Records Administration, the Archivist of the United States, and the Director of the Federal Register, by undersigned counsel, respectfully move for a 7-day extension of time to file a reply in support of their motion to dismiss. Defendants' reply is currently due on February 17, 2017, and the extension would move that deadline to **February 24, 2017**.

There is good cause for the extension. On February 10, 2017, Plaintiff filed both an opposition to Defendants' motion to dismiss and a motion to amend his complaint. Both papers raise similar issues including, in particular, Plaintiff's standing to maintain this action. Under the different response times applicable to replies and oppositions, Defendants' reply in support of their motion to dismiss is due on February 17, and their opposition to Plaintiff's motion to amend is due on February 24. It would be more convenient for Defendants to address both Plaintiff's papers at once given the similarity of issues. Defendants therefore request that the Court extend the deadline for them to file their reply to match the deadline for them to oppose Plaintiff's motion to amend. Further, this extended deadline is required because undersigned counsel is currently preparing for

a jury trial in *Saunders v. Mills*, No. 11-486-RMC (D.D.C.), which is set to commence on February 21, and an associated pretrial conference that is set for February 16. Given the press of that other business, undersigned counsel does not have sufficient time to devote to crafting a reply in support of Defendants' motion to dismiss at this time.

Undersigned counsel has conferred with Plaintiff pro se, who said that he consents to this extension.

Dated: February 15, 2017

Respectfully submitted,

CHANNING D. PHILLIPS, D.C. Bar #415793  
United States Attorney

DANIEL F. VAN HORN, D.C. Bar #924092  
Chief, Civil Division

By: /s/ Johnny Walker  
JOHNNY H. WALKER, D.C. Bar #991325  
Assistant United States Attorney  
555 4th Street, N.W.  
Washington, District of Columbia 20530  
Telephone: 202 252 2575  
Email: johnny.walker@usdoj.gov

*Counsel for Defendants*

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**[PROPOSED] ORDER**

Upon consideration of Defendants' consent motion to extend their time to file a reply in support of their motion to dismiss, it is hereby ORDERED that Defendant's motion is GRANTED.

It is further ORDERED that Defendants may file a reply in support of their motion to dismiss on or before February 24, 2017.

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Richard J. Leon  
United States District Judge

**CERTIFICATE OF SERVICE**

Undersigned counsel hereby certifies that on this day, February 15, 2017, the **Consent Motion to Extend Defendants' Time to File a Reply in Support of Their Motion to Dismiss** was served upon Plaintiff by mailing it, postage prepaid, to the following address:

Asa Gordon  
Douglass Institute of Government  
1667 Webster Street, NE  
Washington, District of Columbia 20017

A courtesy copy has been sent by email to dignews@aolcom.

/s/ Johnny Walker  
JOHNNY H. WALKER  
Assistant United States Attorney