

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

O. JOHN BENISEK, *et al.*,

Plaintiffs,

v.

LINDA H. LAMONE, *et al.*,

Defendants.

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Case No. 13-cv-3233

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**DEFENDANTS’ MOTION TO EXTEND TIME TO FILE THEIR RESPONSE IN
OPPOSITION TO PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION
AND, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT, AND
TO FILE DEFENDANTS’ CROSS-MOTION FOR SUMMARY JUDGMENT**

Defendants Linda H. Lamone and David J. McManus, Jr. request, for good cause shown, an extension of sixteen days to file Defendants’ response in opposition to Plaintiffs’ motion for preliminary injunction and, in the alternative, for summary judgment, and to file Defendants’ cross-motion for summary judgment. The parties set forth their positions on the Defendants’ request for additional time in the joint status report filed on Friday, June 2, 2017 (ECF No. 180).

1. Plaintiffs filed their motion for preliminary injunction and, in the alternative, for summary judgment on Wednesday, May 31, 2017.

2. Under Local Rule 105.2(a), Defendants have until Wednesday, June 14 to file their response in opposition.

3. Defendants further intend to file a cross-motion for summary judgment.

4. In order to consolidate this briefing for the convenience of the parties and the Court and as contemplated by Local Rule 105.2(c), Defendants request an additional sixteen days to file their response in opposition to Plaintiffs' motion and cross-move for summary judgment.

5. Although also a motion for preliminary injunctive relief, Plaintiffs' motion seeks dispositive relief under Federal Rules of Civil Procedure 56 and 65(a). Plaintiffs' motion benefits from a complete evidentiary record, which they have made full use of by referencing 55 exhibits in their 36-page memorandum (ECF No. 177-1).

6. In order to address the factual and legal issues adequately, Defendants request this extension of time, consistent with their previous requests for four weeks to prepare summary judgment briefing. Defendants request a total of 30 days, rather than 28 days, to accommodate the taking of Plaintiffs' expert depositions, which took place after the filing of Plaintiffs' motion on Friday, June 2 and Monday, June 5, 2017 (dates proposed by Plaintiffs).

4. Plaintiffs, through counsel, oppose the requested extension for the reasons stated in the joint status report (ECF No. 180), but do not oppose a one-week enlargement of time through Wednesday, June 21, 2017.

5. A proposed Order is submitted with this motion.

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ORDER

Upon consideration of Defendants’ motion to extend time to file their response in opposition to Plaintiffs’ motion for preliminary injunction and, in the alternative, for summary judgment, and to file Defendants’ cross-motion for summary judgment, and the Court finding there is good cause, it is this _____ day of June, 2017, ORDERED:

The Defendants’ motion to extend time is GRANTED; and

The Defendants’ response in opposition to Plaintiffs’ motion for preliminary injunction and, in the alternative, for summary judgment, and Defendants’ cross-motion for summary judgment is due on or before June 30, 2017.

United States District Judge