

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

PAUL BURKE,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 16-CV-825 (CRC)
)	
U.S. DEPARTMENT OF HEALTH)	
AND HUMAN SERVICES,)	
)	
Defendant.)	
_____)	

**UNOPPOSED MOTION TO EXTEND DEFENDANT’S TIME
TO FILE RESPONSES TO PLAINTIFF’S COMPLAINT AND
PLAINTIFF’S MOTION FOR PARTIAL VOLUNTARY DISMISSAL
AND AWARD OF COSTS**

Pursuant to Fed. R. Civ. P. 6(b)(1), Defendant moves for an extension of time to August 8, 2016 to file its responses to (i) Plaintiff’s complaint in this Freedom of Information Act (“FOIA”) case, and (ii) Plaintiff’s Motion for Partial Voluntary Dismissal and Award of Costs, ECF No. 6.

In support of the instant motion, Defendant states as follows:

1. On May 3, 2016, Plaintiff filed his complaint. ECF No. 1.
2. Defendant’s current deadline for filing its response to the complaint is July 8, 2016.
3. On June 11, 2016, a Saturday, Plaintiff filed his Motion for Partial Voluntary Dismissal and Award of Costs (“Plaintiff’s Motion”). ECF No. 6.
4. Plaintiff’s Motion in essence concedes that his FOIA request is moot. *Id.* at 1.
5. Plaintiff’s Motion does not include any statement showing that Plaintiff complied with Local Civil Rule 7(m).
6. Defendant’s current deadline for responding to Plaintiff’s Motion is today.

7. In order to avoid unnecessarily placing this case in an active litigation posture and to allow the parties additional time to reach a settlement without the Court's intervention, Defendant hereby moves to extend the time for Defendant to file its responses to Plaintiff's complaint and Plaintiff's Motion until August 8, 2016.

8. This is the second extension that Defendant has sought in this case.

9. There are no other deadlines in this case. Thus, the requested extension will not impact any deadlines.

10. This request for an extension is being made in good faith and not for purposes of delay. Plaintiff, who does not object to this extension, will not be prejudiced by the extension requested herein.

WHEREFORE, Defendant respectfully requests that the Court extend its time to file responses to the complaint and to Plaintiff's Motion until August 8, 2016. A proposed order is attached.

Dated: June 28, 2016

Respectfully submitted,

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By: /s/ Marsha W. Yee

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ORDER

Upon consideration of the Unopposed Motion to Extend Defendant’s Time to File Responses to Plaintiff’s Complaint and Plaintiff’s Motion for Partial Voluntary Dismissal and Award of Costs (“Plaintiff’s Motion”), and the entire record herein, it is hereby

ORDERED that Defendant’s motion is GRANTED. It is

FURTHER ORDERED that the time for Defendant to file its responses to the complaint and Plaintiff’s Motion is hereby extended to and including August 8, 2016.

Dated: _____

United States District Judge