

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOHN EAKIN,

Plaintiff,

v.

UNITED STATES DEPARTMENT
OF DEFENSE,

Defendant.

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No. SA-16-CV-972-RCL

UNOPPOSED MOTION FOR EXTENSION OF TIME

Defendant respectfully moves for a 7-day extension of the deadline to file a response to Plaintiff’s Motion to Compel Production of Documents (ECF No. 99). Counsel for Defendant has conferred with Plaintiff, who does not object to the relief requested.

Under Local Court Rule CV-7(d)(2), a response to a “discovery” motion must be filed “not later than 7 days after the filing of the motion.” Although Plaintiff’s motion concerns the release of materials under FOIA rather than traditional civil “discovery,” the local rules could be read to require a response from Defendant within seven days—i.e., by September 15.

Good cause warrants a brief extension of this deadline. The issues raised by the motion likely will require more substantive briefing than a typical discovery motion. Undersigned counsel was traveling last week and needs additional time to confer with his client. A 7-day extension will not prejudice either party or delay proceedings in this case, as any response will still be filed within the 14-day deadline provided for non-discovery motions under the local rules.

WHEREFORE, Defendant respectfully requests that the Court enter an order providing Defendant until September 22, 2021, to respond to Plaintiff’s Motion to Compel Production of Documents. A proposed order accompanies this filing.

Dated: September 11, 2021

Respectfully submitted,

ASHLEY C. HOFF
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2021, I caused the foregoing to be electronically filed via the Court's CM/ECF system, which will send notification of such filing to Plaintiff.

/s/ Thomas A. Parnham, Jr.
THOMAS A. PARNHAM, JR.