

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JOHN A. PATTERSON, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 5:17-CV-00467
	)	
DEFENSE POW/MIA ACCOUNTING	)	
AGENCY, et al.,	)	
	)	
Defendants.	)	

**JOINT MOTION TO EXTEND SCHEDULE**

Pursuant to Rule 6(b) and Rule 16(b)(4) of the Federal Rules of Civil Procedure, the Parties jointly request that the Court amend the scheduling order for this case.

Grants of extensions of time under Rule 6(b) “fall[] to the district court’s discretion.” *Uxomba v. Bexar County*, No. 14-372, 2014 WL 3919573, at \*1 (W.D. Tex. Aug. 8, 2014) (quoting *McCarty v. Thaler*, 376 F. App’x 442, 443 (5th Cir. 2010)). There is good cause to grant the Parties’ joint request here. The Parties need some additional time to prepare for summary judgment briefing in this case. The Parties’ cross-motions for summary judgment are currently due on April 12 and May 17, with the final brief to be filed on May 31. The parties propose adjusting the schedule by an aggregate two weeks so that the final brief will be due on June 14.

The Parties are currently preparing responses to written discovery requests they served on each other on March 12, which are due to be exchanged on April 11. In addition, Defendants’ counsel has a brief due in another case on April 12 and learned only last week that one of Defendants’ expert witnesses is out of the country until April 15, 2019. Accordingly, a one week

extension of Defendants' summary judgment motion deadline—from April 12 to April 17—would enable Defendants to better prepare their motion. The Parties' counsel have further discussed a schedule that would accommodate counsel's pre-existing vacation plans around the Memorial Day holiday and accordingly propose the following:

Defendants' Motion for Summary Judgment	April 17, 2019
Plaintiffs' Opposition to Defendants' Motion for Summary Judgment, and any Cross-Motion for Summary Judgment	May 10, 2019
Defendants' Reply in Support of Summary Judgment, and any Opposition to Plaintiffs' Cross-Motion for Summary Judgment	May 31, 2019
Plaintiffs' Reply in Support of Cross-Motion for Summary Judgment	June 14, 2019

In addition, the Parties jointly request an extension of the page limit for each party's motion for summary judgment, up to 50 pages. This will permit the parties to adequately address the various legal claims in this case.

A proposed Order is attached for the Court's review and entry.

Dated: April 9, 2019

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 9th day of April, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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