

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

GILBERTE JILL KELLEY *et al.*,

Plaintiffs,

v.

**THE FEDERAL BUREAU OF
INVESTIGATION *et al.*,**

Defendants.

Civil Action No. 13-cv-825 (ABJ)

**DEFENDANTS' UNOPPOSED MOTION FOR SECOND EXTENSION OF TIME TO
ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT**

Defendants respectfully move for an extension of time of twenty days, until Tuesday, September 24, 2013, within which to answer or otherwise respond to the complaint (ECF No. 1). Pursuant to Local Rule 7(m), the undersigned counsel conferred with plaintiffs' counsel, who does not oppose this motion. For the reasons below, defendants respectfully submit that good cause exists for granting this motion.

Defendants regrettably seek a second extension of time to respond to the complaint owing to the fact that it is 63 pages in length, setting forth 220 individually numbered paragraphs of allegations. The time requested herein is necessary to allow defendants to investigate adequately plaintiffs' allegations and their multiple claims brought under the Privacy Act and the Stored Communications Act. This effort requires the undersigned counsel, *inter alia*, to confer with and coordinate among multiple agencies and government officials. Notwithstanding defendants' efforts to conclude this process diligently within the time originally requested of the Court, additional time has proven to be necessary. Also, the time needed is lengthened due to the multiple other obligations imposed by other courts on the undersigned counsel, including a

dispositive motion to be filed in *XP Vehicles, Inc. v. Department of Energy*, 13-cv-0037 (D.D.C.) (KBJ). Undersigned counsel does not anticipate the need for a further extension of time to answer or otherwise respond to the complaint.

For the foregoing reasons, defendants respectfully request that the Court grant their motion for an extension of time. Attached is a proposed order granting the 20-day extension and setting September 24, 2013, as the due date for answering or otherwise responding to the complaint.

August 28, 2013

Respectfully Submitted,

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Acting Assistant Attorney General

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/s/ Peter J. Phipps

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