

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

NATIONAL ASSOCIATION OF CRIMINAL
DEFENSE LAWYERS,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS

and

DEPARTMENT OF JUSTICE,

Defendants.

No. 18-cv-2399-KBJ

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE JOINT PROPOSED SCHEDULE FOR DISCLOSURE**

Plaintiff National Association of Criminal Defense Lawyers (“NACDL”) respectfully requests a one-week extension of time to file the parties’ joint proposed schedule for disclosure in this matter. In support of this request, NACDL states the following:

1. On February 11, 2019, this Court directed the parties to “promptly confer and file a joint proposed schedule for briefing or disclosure on or before 2/25/2019.” Minute Order (Feb. 11, 2019).

2. Undersigned counsel for NACDL emailed counsel for Defendant Federal Bureau of Prisons and Defendant Department of Justice (collectively, “Defendants”) on February 12, February 14, and February 20, 2019, seeking a status update on the Defendants’ progress on their searches for responsive records. All three emails proposed available times for a meet-and-confer related to the Court’s Order. None of those emails were answered.

3. On February 20, 2019, undersigned counsel for NACDL called both attorneys for Defendants and left voicemails requesting a status update on the Defendants' searches. Opposing counsel Darrell Valdez returned the call, saying NACDL should receive more information the following day.

4. On February 21, 2019, opposing counsel W. Mark Nebeker stated that he had reached out to the Defendants for more information. In a subsequent email, opposing counsel indicated he would likely need a week to obtain the information NACDL has requested related to the Defendants' searches and proposed disclosure timelines.

5. Undersigned counsel respectfully requests a one-week extension to file the joint proposed schedule for disclosure discussed in the Court's February 11, 2019 Order because NACDL currently lacks the information necessary to meaningfully meet-and-confer with opposing counsel on a proposed disclosure schedule.

6. Pursuant to Local Civil Rule 7(m), undersigned counsel for NACDL contacted counsel for the Defendants to discuss this Motion and the reasons for requesting an extension. Opposing counsel indicated that the Defendants do not oppose NACDL's request.

DATED: February 22, 2019

Respectfully submitted,

/s/ Megan Graham

Megan Graham (*pro hac vice*)
Catherine Crump (*pro hac vice*)
Samuelson Law, Technology & Public Policy
Clinic
U.C. Berkeley School of Law
353 Boalt Hall
Berkeley, CA 94720-7200
mgraham@clinical.law.berkeley.edu
(510) 664-4381

Counsel for Plaintiff

Barry J. Pollack (DC Bar #434513)
Robbins, Russell, Englert, Orseck,
Untereiner & Sauber, LLP
1801 K Street, N.W.
Suite 411L
Washington, DC 20006
(202) 775-4514 phone
(202) 775-4510 fax
bpollack@robbinsrussell.com

Counsel for Plaintiff

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

NATIONAL ASSOCIATION OF CRIMINAL
DEFENSE LAWYERS,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS

and

DEPARTMENT OF JUSTICE,

Defendants.

No. 18-cv-2399-KBJ

[PROPOSED] ORDER

Upon consideration of Plaintiff's Unopposed Motion for an Extension of Time to File Joint Proposed Schedule for Disclosure, and the entire record in this case, it is hereby ORDERED that:

1. Plaintiff's Motion is GRANTED, and
2. The parties shall file a joint proposed schedule for disclosure on or before March 4, 2019.

DATED: February ___, 2019

KETANJI BROWN JACKSON
UNITED STATES DISTRICT JUDGE