

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TOM G. PALMER, et al.,)	Case No. 09-CV-1482-FJS
)	
Plaintiffs,)	MEMORANDUM OF POINTS AND
)	AUTHORITIES IN SUPPORT OF
v.)	PLAINTIFFS' CONSENT MOTION
)	FOR EXTENSION OF TIME RE:
DISTRICT OF COLUMBIA, et al.,)	MOTION FOR ATTORNEY FEES
)	AND COSTS
Defendants.)	

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
PLAINTIFFS' CONSENT MOTION FOR EXTENSION OF TIME RE:
MOTION FOR ATTORNEY FEES AND COSTS

COME NOW the Plaintiffs, Tom G. Palmer, George Lyon, Edward Raymond, Amy McVey, and the Second Amendment Foundation, Inc., by and through undersigned counsel, and submit their Memorandum of Points and Authorities in Support of their Consent Motion for Extension of Time re: Motion for Attorney Fees and Costs.

* * *

1. On July 29, 2014, the Court entered judgment for Plaintiffs in this action. Accordingly, Plaintiffs have until August 12, 2014, to file their motion for attorney fees and costs under 42 U.S.C. § 1988. See Fed. R. Civ. P. 54(d)(2)(B)(i).

2. As of this writing, Defendants cannot confirm to Plaintiffs where they will pursue an appeal, notice of which is not due until August 28, 2014. See Fed. R. App. P. 4. Accordingly, a Section 1988 motion at this time may be premature. Moreover, the parties would like to have an opportunity to negotiate the fees and costs issue, but counsel for both sides are away for much of August and generally not available due to long-planned travel commitments.

3. Accordingly, Plaintiffs seek, with Defendants' consent, an extension of time to file their motion for attorney fees and costs, until sixty (60) days following the expiration of Defendants' deadline to notice an appeal or, if an appeal is pursued, sixty (60) days following the issuance of the D.C. Circuit's mandate.

Wherefore, Plaintiffs request that the motion be granted.

Dated: August 4, 2014

Respectfully submitted,

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