

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

STEVEN J. HATFILL, M.D.,

Plaintiff,

v.

**ATTORNEY GENERAL
MICHAEL MUKASEY, et al.,**

Defendants.

**Case No. 1:03-CV-01793
(RBW)**

**CONSENT MOTION FOR EXTENSION OF TIME FOR
RESPONSE AND REPLY TO PLAINTIFF’S MOTION FOR CIVIL CONTEMPT**

Non-party reporters Tony Locy and James Stewart, by counsel, respectfully submit this Consent Motion to extend their time to respond to the plaintiff’s motions to hold them in civil contempt by two days, from December 17, 2007 to December 19, 2007, and for the plaintiff’s response thereto to be due on January 4, 2008.

In support of this Consent Motion, the non-party reporters state as follows:

1. On October 2, 2007, plaintiff moved to hold non-party reporters Toni Locy and James Stewart in civil contempt. Docket Nos. 204-05.
2. By Order dated October 9, 2007, the Court stayed proceedings until Monday, December 3. The order also sealed the transcripts of three ongoing depositions until that date, and set that date as the deadline for responses of Locy and Stewart to the contempt motions.
3. The non-party reporters sought an extension of the deadline for their responses until two weeks after the transcripts were due to be unsealed. Docket No. 209. The non-party reporters explained that they needed sufficient time to review these deposition transcripts in order to respond to plaintiff’s contempt motion.

4. On November 7, the Court granted the non-party reporter's motion and reset the deadline for the responses to Monday, December 17.

5. Although the sealing order expired on December 3, 2007, the transcript for one of the witnesses did not become available from the court reporting service to the non-party reporters until Wednesday, December 5.

6. The non-party reporters therefore seek an additional two-day extension to respond to plaintiff's motion, until Wednesday, December 19.

7. In light of the intervening holiday, the non-party reporters have also agreed to the plaintiff's request that they move the Court for an extension of the time for plaintiffs to reply until Friday, January 4.

8. Counsel for both plaintiff and defendants have consented to this motion.

Dated: December 6, 2007

Respectfully submitted,

NIXON PEABODY LLP

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By: /s/ Robert C. Bernius (with permission)

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