

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MICHAEL MABEE,

*Plaintiff,*

v.

Civil Action No. 19-3448 (FYP)

FEDERAL ENERGY REGULATORY  
COMMISSION,

*Defendant.*

**DEFENDANT’S UNOPPOSED MOTION FOR  
A MODIFICATION OF THE BRIEFING SCHEDULE**

Defendant, the Federal Energy Regulatory Commission (“FERC”), by and through undersigned counsel, moves pursuant to Federal Rule of Civil Procedure 6(b)(1) for a modification of the briefing schedule.

As grounds for this motion, Defendant states as follows:

1. On February 15, 2022, the Court entered a Minute Order, providing in part:

Upon consideration of the parties' [38] Joint Status Report, Defendant shall file its Motion for Summary Judgment by May 2, 2022; Plaintiff shall file his Opposition and Cross Motion for Summary Judgment by June 13, 2022; Defendant shall file its Reply and Opposition by July 15, 2022; and Plaintiff shall file his Reply by August 15, 2022.

2. The undersigned needs additional time to confer with agency counsel, to finalize the draft, and to obtain supervisory review.

3. This relatively brief delay is not unreasonable under the circumstances and will not unduly prejudice the Plaintiff.

4. In accordance with Local Civil Rule 7(m), undersigned counsel conferred *via* e-mail with Plaintiff's Counsel, C. Peter Sorenson, Esquire about this modification. Mr. Sorenson consents to this modified schedule:

- a. Defendant shall file its response on or before May 9, 2022;
  - b. Plaintiff shall file his opposition to FERC's motion for summary judgment and his cross-motion for summary judgment on or before June 13, 2022;
  - c. Defendant shall file its reply brief and its response to Plaintiff's cross-motion for summary judgment on or before July 6, 2022; and
  - d. Plaintiff shall file his reply brief on or before August 8, 2022.
5. This is Defendant's first request for an enlargement of time.
6. A proposed order is attached.

Dated: April 29, 2022

Respectfully submitted,

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United States Attorney  
D.C. Bar No. 481052

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Chief, Civil Division

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*Counsel for Defendant*