

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 two-day extension of time—until May 11, 2022—within which to file its motion for summary judgment.

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. Subsequently, on May 2, 2022, the Court granted Defendant’s unopposed motion for extension of time and in a Minute Order directed that:

Defendant's Motion for Summary Judgment is due on May 9, 2022; Plaintiff's Opposition and Cross Motion for Summary Judgment are due on June 13, 2022; Defendant's Reply and Opposition are due on July 6, 2022; and Plaintiff's Reply is due on August 8, 2022.

3. The undersigned needs additional time to complete supervisory review.

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

5. In accordance with Local Civil Rule 7(m), undersigned counsel conferred *via* e-mail with Plaintiff's Counsel, C. Peter Sorenson, Esquire about this two-day extension modification. Mr. Sorenson graciously consents to this requested extension of time.

6. This is Defendant's second request for an enlargement of time.

7. A proposed order is attached.

Dated: May 9, 2022

Respectfully submitted,

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[PROPOSED] ORDER

The matter is before the Court upon the Defendant’s unopposed motion for a two-day extension of time within which to file its motion for summary judgment. Upon consideration of the Defendant’s unopposed motion, the entire record herein, and for good cause shown, it is hereby

ORDERED, that the motion is **GRANTED**. It is further

ORDERED, that Defendant shall file its motion for summary judgment on or before May 11, 2022.

SO ORDERED this _____ day of _____, 2022.

FLORENCE Y. PAN
United States District Judge