

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

ROBERT DEXTER WEIR et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

Civil Action No. 19-1708 (TFH)

**DEFENDANTS' CONSENT MOTION FOR
EXTENSION OF TIME TO RESPOND TO THE COMPLAINT**

Pursuant to Fed. R. Civ. P. 6(b)(1), Defendants United States of America and Admiral Karl L. Schultz, Commandant, U.S. Coast Guard (collectively "United States"), respectfully move the Court for a 45-day extension of time to respond to the Complaint. The United States requests that the deadline be extended from August 12, 2019, through September 26, 2019. The parties further request that, should the United States respond to the Complaint with a Motion to Dismiss in lieu of an Answer, the opposition to such motion would be due on November 19, 2019.

Background Information:

Plaintiffs filed this action on June 12, 2019. They served the U.S. Attorney that same day. Based on that date of service, the initial date for a response to the Complaint is August 12, 2019. See Fed. R. Civ. P. 12(a)(2); 6(a)(1)(C).

Basis for Extension Request:

The United States is gathering information to respond to the Complaint. As no administrative claim was filed before this suit, the United States' investigation into the allegations of the Complaint began upon service. Plaintiffs complain of U.S. Coast Guard actions on four Coast Guard cutters, which are based in different locations and/or presently at sea. Multiple trips will be required to meet involved persons and gather factual materials. The allegations of the Complaint require inquiry into persons and materials at other federal agencies, as well, such as federal law enforcement agencies, due to the allegations that the Plaintiffs, who are citizens of Jamaica, were detained on the high seas and prosecuted in the United States. Further, the Complaint raises questions of law that may be susceptible to a Motion to Dismiss in lieu of an Answer.

Additional Required Information:

This is the United States' first request for an extension of time. The United States brings this motion in good faith and not for purposes of delay to gain any unfair advantage. Granting the motion will neither prejudice any party nor impact any other deadlines in this action, as no other deadlines are currently set.

Pursuant to Local Rule 7(m), counsel for the United States contacted Plaintiffs' counsel to determine Plaintiffs' position on this motion. Plaintiffs consent to the motion.

DATED: July 26, 2019

Respectfully submitted,

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By: /s/ Jill Rosa

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