

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

NASSER AL-AULAQI, as personal  
representative of the estate of ANWAR  
AL-AULAQI, et al.,

Plaintiffs,

v.

LEON E. PANETTA, et al., in their  
individual capacities,

Defendants.

No. 1:12-cv-01192 (RMC)

**DEFENDANTS' MOTION FOR A TWO-DAY EXTENSION TO FILE THEIR REPLY  
IN SUPPORT OF THEIR MOTION TO DISMISS**

Under Federal Rule of Civil Procedure 6(b)(1)(a), Defendants former Secretary of Defense Leon Panetta, former Director of the Central Intelligence Agency David Petraeus, Admiral Michael McRaven, and Brigadier General Joseph Votel, move this Court to provide a two-day extension for Defendants to file their reply in support of their motion to dismiss. In support of this motion, Defendants state as follows:

1. Plaintiffs filed their complaint against Defendants on July 18, 2012. Dkt. No. 3.
2. On December 14, 2012, Defendants filed a motion to dismiss Plaintiffs' complaint in its entirety. Dkt. No. 18.
3. On December 20, 2012, this Court approved the parties' joint motion to provide additional time to file briefing on the motion to dismiss. Under that schedule, Plaintiffs' opposition to Defendants' motion to dismiss would be due February 5, 2013, and Defendants' reply in support of their motion would be due March 7, 2013. Dkt. No. 20 at ¶ 7.

4. On February 5, 2013, Plaintiffs filed their opposition to Defendants' motion to dismiss. Dkt. No. 21.

5. On March 6, 2013, offices of the federal government in the Washington, D.C., area, including the offices of Defendants' counsel, the United States Department of Justice, were closed because of inclement weather.

6. It is currently unclear to Defendants' counsel whether the offices of the United States Department of Justice will be open tomorrow, and if so, what times they will be open. Internet outages and communication difficulties make the ability to finalize the reply and file it from a remote location unreliable.

7. Under Federal Rule of Civil Procedure 6(a)(1)(C), a two-day extension will extend the due date of Defendants' reply brief to Monday, March 11, 2013.

8. Pursuant to LCvR 7(m), Defendants' counsel attempted to contact Plaintiffs' counsel both by telephone and by e-mail on March 6, 2013, to determine whether Plaintiffs opposed Defendants' motion for an extension. Defendants' counsel has not been able to ascertain Plaintiffs' counsels' position on this motion, presumably because of weather conditions.

9. This motion is filed for good cause and is not intended to unnecessarily delay this litigation.

Defendants respectfully request that this Court enter an Order granting their motion for a two-day extension to file their reply, giving them until Monday, March 11, 2013, to file that reply.

Dated: March 6, 2013

Respectfully submitted,

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