UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

JEAN BATTY; EDWARD RUSSO; MATT WOLF; PAUL P. BARNETT; CRAIG VACCA; and COMMONWEALTH SECOND AMENDMENT, INC., Plaintiffs,)))) CIVIL ACTION NO.) 1:15-cv-10238-FDS
-against-))
KEN ALBERTELLI, in his official Capacity as Chief of the Winchester Police Department; and WILLIAM TAYLOR, in his Official Capacity as Superintendent of the Lowell Police Department,))))
Defendants.)))

JOINT MOTION TO ENLARGE THE DISPOSITIVE MOTION DEADLINE BY ONE WEEK

Plaintiffs and Defendant Ken Albertelli jointly move the Court to enlarge the dispositive motion deadline by one week, *viz.*, from June 30, 2016 to July 7, 2016. In support of this motion, the parties state as follows:

- 1) The Court's scheduling order of November 9, 2015 set June 30, 2016 as the deadline for dispositive motions (Dkt. no. 40). At the status conference held on May 6, 2016, the Court scheduled oral argument for August 3, 2016 at 3:00 p.m. (Dkt. no. 46).
- 2) Two recent developments make it impractical for the parties to submit dispositive motions by the June 30 deadline:
 - a. First, the parties did not receive the final deposition transcript until this past Wednesday (June 15, 2016). While the parties have made arrangements to

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expedite review of the transcript, it will not be possible to return the errata

sheet until approximately two days before the current deadline; and

b. Second, Plaintiffs' counsel recently had to reschedule a previously planned

trip in a remote area in Canada to the last full week of June. There is no

cellular phone service or access to data in this area, making it essentially

impossible to work on the briefings during that time.

3) Thus, after conferring regarding the practicalities of the situation, counsel agreed

to request a one week enlargement of the briefing deadlines.

4) Should the Court wish to reschedule oral argument, counsel for Plaintiffs and for

Defendant Albertelli can advise the Court that they are available during the following week

(August 8-12).

5) Counsel for Defendant Albertelli reviewed this motion in advance and joins in it.

Counsel for Defendant William Taylor did not review this motion, but the claims against this

Defendant are stayed, and this motion should accordingly not impact this Defendant.

Respectfully submitted,

THE PLAINTIFFS,

By their attorneys,

/s/ David D. Jensen

David D. Jensen, Admitted Pro Hac Vice

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Dated: June 17, 2016 patrick@grolmanllp.com

DEFENDANT KENNETH C. ALBERTELLI

By his attorney,

/s/ Wade M. Welch

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Dated: June 17, 2016 wwelch@welchdonohoe.com

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on 17 June 2016.

/s/ David D. Jensen
David D. Jensen, Esq.