

1 TONY WEST
Assistant Attorney General

2 DANIEL G. BOGDEN
United States Attorney

3 SANDRA SCHRAIBMAN
4 Assistant Director, Federal Programs Branch

5 ALICIA N. ELLINGTON
6 JOHN K. THEIS
Trial Attorneys, Federal Programs Branch
United States Department of Justice, Civil Division
7 20 Massachusetts Ave., N.W., Rm. 7226
Washington, D.C. 20530
8 Telephone: (202) 305-8550
Facsimile: (202) 616-8460
9 John.K.Theis@usdoj.gov
Alicia.N.Ellington@usdoj.gov

10 *Attorneys for Defendants the United States of America,*
11 *ATF, U.S. Attorney General Eric Holder,*
12 *Acting ATF Director B. Todd Jones, and*
13 *Assistant ATF Director Arthur Herbert,*
in their official capacities (collectively, the United States)

14
15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 S. ROWAN WILSON,
18 Plaintiff,

19 v.

20 ERIC HOLDER, Attorney General of the
21 United States et al.,
22 Defendants.

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) Case No.: 2:11-CV-1679-GMN-(PAL)
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23 **JOINT MOTION FOR BRIEFING SCHEUDLE**

24 The parties to this matter, by their undersigned counsel, respectfully request that this
25 Court enter an agreed-upon briefing schedule for briefing on the United States's Motion to
26 Dismiss or, in the Alternative, for Summary Judgment (Dkt. No. 10) and the individual

1 defendants in their personal capacities' Motion to Dismiss (Dkt. No. 9). As set forth in the
2 below Memorandum of Points and Authorities, Local Rule 7-2 requires, "[u]nless otherwise
3 ordered by the Court," that responding briefs be filed within fourteen days after service of a
4 motion and that reply briefs be filed within seven days after service of the response. Because of
5 the complexity and number of issues raised by the Complaint and the Defendants' motions, the
6 parties request that the Court enter the following schedule:

7 March 9, 2012: Plaintiff's Response to Motions by the United States and the
8 Individual Defendants
9 March 30, 2012: Reply by the United States and the Individual Defendants in
 Support of their Motions

10 Dated: February 6, 2012

Respectfully submitted,

11 TONY WEST
12 Assistant Attorney General

13 DANIEL G. BOGDEN
14 United States Attorney

15 SANDRA SCHRAIBMAN
16 Assistant Director
17 Federal Programs Branch

18 /s/ Alicia N. Ellington
19 ALICIA N. ELLINGTON
20 JOHN K. THEIS

21 Attorneys for the United States

22 /s/ Zachary Richter
23 ZACHARY RICHTER
24 Trial Attorney, Constitutional Torts Staff
25 United States Department of Justice, Civil Division

26 Attorney for Defendants Eric Holder, B. Todd
27 Jones, and Arthur Herbert in their individual
28 capacities

/s/ Charles C. Rainey
 CHARLES C. RAINEY
 Rainey Devine, Attorneys at Law

 Attorney for Plaintiff

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
JOINT MOTION FOR ENTRY OF BRIEFING SCHEDULE**

Local Rule 7-2 of the District Court for the District of Nevada sets forth a briefing schedule for motions that is to be entered “unless otherwise ordered by the Court.” The Rule provides fourteen days for a response and seven days for reply. *See* Local Rule 7-2(b), (c). In the case of a motion for summary judgment, the Rule provides twenty-one days for a response and fourteen days for a reply. *See* Local Rule 7-2(e).

In this case, Defendants have filed two separate motions addressing the broad-ranging constitutional claims in the Complaint. Defendants the United States of America, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the individual defendants in their official capacities (collectively, the United States) filed a Motion to Dismiss or, in the Alternative, for Summary Judgment. *See* Dkt. No. 10. The individual defendants in their personal capacities filed a separate Motion to Dismiss. Dkt. No. 9. The parties agree that in order to thoroughly and adequately address the claims and issues raised in the Complaint and the Defendants’ two motions, an extension of the standard filing deadlines is warranted. Accordingly, the parties request that the Court allow Plaintiff until March 9, 2012, to respond to Defendants’ motions and that the Court allow Defendants until March 30, 2012, to reply. The parties have conferred and agree to these deadlines.

Dated: February 6, 2012

Respectfully submitted,

TONY WEST
Assistant Attorney General

DANIEL G. BOGDEN
United States Attorney

SANDRA SCHRAIBMAN
Assistant Director
Federal Programs Branch

/s/ Alicia N. Ellington
ALICIA N. ELLINGTON
JOHN K. THEIS
Trial Attorneys, Federal Programs Branch
United States Department of Justice, Civil Division

Attorneys for the United States

/s/ Zachary Richter

ZACHARY RICHTER

Trial Attorney, Constitutional Torts Staff

United States Department of Justice, Civil Division

Attorneys for Defendants Eric Holder, B. Todd Jones, and Arthur Herbert in their individual capacities

/s/ Charles C. Rainey

CHARLES C. RAINEY

Rainey Devine, Attorneys at Law

chaz@raineydevine.com

Attorney for Plaintiff

IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE
DATED: _____

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PROOF OF SERVICE

I, Alicia N. Ellington, Trial Attorney with the United States Department of Justice, certify that the following individuals were served with the **JOINT MOTION FOR BRIEFING SCHEDULE** on this date by the below identified method of service:

Electronic Case Filing:

Charles C. Rainey
Rainey Devine, Attorneys at Law
2245 W. Horizon Ridge Pkwy., Ste. 110
Henderson, NV 89052
chaz@raineydevine.com

Attorney for Plaintiff

Zachary Richter
Trial Attorney, Constitutional Torts Staff
United States Department of Justice, Civil Division
P.O. Box 7146, Ben Franklin Station
Washington, D.C. 20044
Zachary.Richter@usdoj.gov

*Attorney for Defendants Eric Holder, B. Todd Jones,
and Arthur Herbert in their individual capacities*

DATED this 6th day of February 2012.

/s/ Alicia N. Ellington
ALICIA N. ELLINGTON
Trial Attorney
United States Department of Justice