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16 *ATF, U.S. Attorney General Eric Holder,*
17 *Acting ATF Director B. Todd Jones, and*
18 *Assistant ATF Director Arthur Herbert,*
19 *in their official capacities (collectively, the United States)*

20 **UNITED STATES DISTRICT COURT**
21 **DISTRICT OF NEVADA**

22 S. ROWAN WILSON,
23 Plaintiff,

24 v.

25 ERIC HOLDER, Attorney General of the
26 United States et al.,
27 Defendants.

28 Case No.: 2:11-CV-1679-GMN-(PAL)

JOINT MOTION FOR BRIEFING SCHEUDLE

The parties to this matter, by their undersigned counsel, respectfully request that this Court enter an agreed-upon briefing schedule for briefing on the United States’s Motion to 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
Assistant Attorney General

12 DANIEL G. BOGDEN
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13 SANDRA SCHRAIBMAN
Assistant Director
14 Federal Programs Branch

15 /s/ Alicia N. Ellington
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18 *Attorneys for the United States*

19 /s/ Zachary Richter
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22 *Attorney for Defendants Eric Holder, B. Todd
Jones, and Arthur Herbert in their individual
23 capacities*

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

26 *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,

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Assistant Attorney General

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Jones, and Arthur Herbert in their individual
capacities*

/s/ Charles C. Rainey

CHARLES C. RAINEY

Rainey Devine, Attorneys at Law

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Attorney for Plaintiff

IT IS SO ORDERED this 7th day of February, 2012.



Gloria M. Navarro

United States District Judge