

JULIA A. OLSON (OR Bar 062230)
JuliaAOlson@gmail.com
WILD EARTH ADVOCATES
1216 Lincoln Street
Eugene, OR 97401
Tel: (415) 786-4825

JOSEPH W. COTCHETT
jcotchett@cpmlegal.com
PHILIP L. GREGORY (*pro hac vice*)
pgregory@cpmlegal.com
PAUL N. MCCLOSKEY
pmccloskey@cpmlegal.com
COTCHETT, PITRE & McCARTHY, LLP
San Francisco Airport Office Center
840 Malcolm Road
Burlingame, CA 94010
Tel: (650) 697-6000
Fax: (650) 697-0577

DANIEL M. GALPERN (OR Bar 061950)
dan.galpern@gmail.com
LAW OFFICES OF DANIEL M. GALPERN
1641 Oak Street
Eugene, OR 97401
Tel: (541) 968-7164

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

**KELSEY CASCADIA ROSE JULIANA;
XIUHTEZCATL TONATIUH M.**, through
his Guardian Tamara Roske-Martinez; et al.

Plaintiffs,

Case No.: 6:15-cv-01517-TC

**PLAINTIFFS' CONSENT MOTION TO
ENLARGE PAGE LIMIT**

v.

Plaintiffs' Consent Motion to Enlarge Page Limit; 6:15-cv-01517-TC

The UNITED STATES OF AMERICA;
BARACK OBAMA, in his official capacity as
President of the United States; et al.,

Federal Defendants.

CONSENT MOTION TO ENLARGE PAGE LIMIT

Plaintiffs respectfully move this Court to enlarge their page limit for their memorandum to oppose Federal Defendants' Motion to Dismiss under Local Rule 7-2(b)(1), which is due on January 6, 2016, from 35 pages to 45 pages, with no word limitation. Under Local Rule 7-2(b)(1), the Court may for good cause enlarge the page limit time for a memorandum. The grounds for this Motion are as follows:

1. The Amended Complaint in this matter was filed on September 10, 2015. On September 28, 2015, Federal Defendants filed a consent motion to enlarge the time to file an Answer or responsive pleading. The Court granted the Motion.
2. On November 13, 2015, Federal Defendants filed a second consent motion to enlarge the time to file an Answer or responsive pleading. The Court granted the motion.
3. On November 17, 2015, Federal Defendants filed a Motion to Dismiss pursuant Rule 12(b), subsections (1) and (6), of the Federal Rules of Civil Procedure. The Motion to Dismiss raises important issues regarding standing, constitutional rights, and the public trust doctrine, and requires a thorough argument on each of Plaintiffs' causes of action.
4. Plaintiffs have worked diligently to limit the pages in their brief and still provide the court with a complete argument on the Motion, to be filed tomorrow, January 6, 2015.

5. Local Rule 7-2(b)(1) provides: “Without prior Court approval, memoranda (including objections to a Findings and Recommendation of a Magistrate Judge and responses to such objections) may not exceed 11,000 words, or in the alternative, 35 pages. If the document exceeds the page limit, then the party must certify compliance with the word-count limit. This limitation includes headings, footnotes and quotations, but excludes the caption, table of contents, table of cases and authorities, signature block, exhibits, and any certificates of counsel.”
6. Plaintiffs requested and Federal Defendants consented to extending the page limit of Plaintiffs’ memorandum to oppose the Motion to Dismiss to 45 pages, with no word limitation. Neither party has previously requested to extend the page limit.
7. Neither party has been guilty of negligence or bad faith.

Accordingly, Plaintiffs hereby respectfully request enlarge their page limit for their memorandum to oppose Federal Defendants’ Motion to Dismiss under Local Rule 7-2(b)(1) from 35 pages to 45 pages, with no word limitation. A proposed Order is attached.

Respectfully submitted this 5th day of January, 2016.

s/ Julia A. Olson
JULIA A. OLSON (OR Bar 062230)
JuliaAOlson@gmail.com
1216 Lincoln St.
Eugene, OR 97401
Tel: (415) 786-4825

PHILIP L. GREGORY (applicant pro hac vice)
pgregory@cpmlegal.com
840 Malcolm Road
Burlingame, CA 94010
Tel: (650) 697-6000

DANIEL M. GALPERN (OR Bar 061950)
dan.galpern@gmail.com
1641 Oak Street

Eugene, OR 97401 Tel: (541) 968-7164

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of January, 2016, a copy of the foregoing Consent Motion to Enlarge Page Limit was filed via the Court's electronic case filing (ECF) system, which will send notice to all counsel of record.

/s/ Julia A. Olson
JULIA A. OLSON