

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JULIO SUAREZ,	)	Case. No. 14-CV-00968-WWC
	)	
Plaintiff,	)	(Hon. William W. Caldwell)
	)	
v.	)	
	)	
ERIC H. HOLDER, JR., et al.,	)	
	)	
Defendants.	)	
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PLAINTIFF’S UNOPPOSED MOTION TO FILE CORRECTED BRIEF  
AND SEPARATE STATEMENT

Plaintiff respectfully requests that this Honorable Court accept the lodged corrected brief in support of his motion for summary judgment, and in opposition to Defendants’ motion to dismiss or for summary judgment; and corrected separate statement of facts.

Plaintiff has met and conferred with counsel for the Defendants, who do not oppose the granting of this motion.

In support of his motion, Plaintiff states:

1. On October 29, 2014, the Court granted Plaintiff’s unopposed motion to file a combined brief not exceeding 40 pages or 13,320 words in support of his motion for summary judgment and in opposition to Defendants’ dispositive motion.

2. On November 13, 2014, Plaintiff timely filed his brief. As the brief was below 40 pages, a certificate of word limit compliance was not included. However, the brief was also well-within the word limits, at 12,106 words. See attached certificate.

3. Counsel has now realized that the brief and accompanying separate statement were inadvertently set at 12-point New Times Roman font, instead of 14-point, as required by Local Rule 5.1(c). Although the Court did not reject the filing, counsel regrets the oversight and wishes to comply, especially as 14-point is more legible.

4. Accordingly, counsel has reset the brief in 14-point size font. The attached corrected brief contains the identical text of the previously filed brief, reformatted for the correct size font. While the larger font causes the brief to exceed 40 pages in length, the brief remains in compliance with the Court's order, as it still contains the exact same words. However, the word count in the reformatted brief is 12,108, as opposed to 12,106, owing to two hyphenation breaks. Apart from the reformatting, the only other correction in the reformatted brief is to the table of authorities, where one case was originally listed twice. The Separate Statement of Undisputed Material Facts, Dkt. 19, has also been reformatted, without alteration, in 14-point font.

Wherefore, Plaintiff respectfully requests that the attached re-formatted brief and separate statement be deemed substituted for docket entries 18 and 19.

Dated: January 16, 2015

Respectfully submitted,

By: /s/ Douglas Gould

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### CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2015, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Alan Gura

Alan Gura