

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

FREDRIC RUSSEL MANCE, JR. *et al.*,

VS.

Civil Action No. 4:14-CV-00539-O

ERIC HOLDER, ATTORNEY GENERAL
OF THE UNITED STATES, and B. TODD
JONES, DIRECTOR, BUREAU OF
ALCOHOL, TOBACCO, FIREARMS &
EXPLOSIVES

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE A COMBINED
RESPONSE BRIEF TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND
REPLY IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS OR FOR SUMMARY
JUDGMENT**

Defendants hereby request leave of the Court to file a single, combined brief by November 7, 2014 that will serve as both a (1) brief in response to Plaintiff's Motion for Summary Judgment and (2) reply in support of Defendants' Motion to Dismiss or for Summary Judgment. In support of this motion, Defendants state as follows. On September 23, 2014, Defendants filed a Motion to Dismiss, or in the Alternative, for Summary Judgment, with a supporting brief and appendix. (ECF Nos. 15-17). On October 17, 2014, Plaintiffs filed a Motion for Summary Judgment and Memorandum in Support (ECF Nos. 21-23). Also on October 17, 2014, Plaintiffs filed an Opposition to Defendants' Motion to Dismiss, Or, in the Alternative, for Summary Judgment (ECF No. 24), which relies on and incorporates by reference the brief filed in support of Plaintiffs' motion for summary judgment. Defendants respectfully submit that, rather than filing a reply in support of their motion, and then also a separate brief in response to Plaintiffs' motion, it will promote the efficient adjudication of this case for

Defendants to simply file a single, consolidated brief responding to all of the arguments in Plaintiffs' recent filings. Wherefore, Defendants respectfully request that they be permitted to file a single, combined brief in response to Plaintiffs' Motion for Summary Judgment and as a reply in Support of Defendants' Motion to Dismiss or for Summary Judgment by November 7, 2014, the date Defendants' response to Plaintiffs' Motion for Summary Judgment is due under Local Rule 7.1(e), with such brief to be limited to 50 pages. Defendants shall submit a proposed order in conjunction with this motion.

Dated: October 22, 2014

Respectfully submitted,

JOYCE R. BRANDA
Acting Assistant Attorney General

SARAH R. SALDAÑA
United States Attorney

/s/ Lesley Farby
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Attorneys for Defendants

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule 7.1(a) and (b), I hereby certify that on October 21, 2014, I conferred with Counsel for Plaintiffs regarding the relief sought in this motion. Counsel indicated that Plaintiffs do not oppose the relief sought in this motion.

/s/ Lesley Farby
Lesley Farby

CERTIFICATE OF SERVICE

On October 22, 2014, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2) or the local rules.

/s/ Lesley Farby
Lesley Farby