IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

NATIONAL FEDERATION OF INDEPENDENT BUSINESS, Plaintiff,

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Civil Action No. 3:16-cv-02568-D

DOROTHY DOUGHERTY, in her official capacity as Deputy Assistant Secretary of Labor for the Occupational Safety and Health Administration, *et al.*, Defendants.

DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION

Defendants move this Court under Federal Rule of Civil Procedure 6(b)(1)(A) to extend by 30 days all remaining deadlines in this case, including defendants' answer, which is currently due by February 17, 2017. The extension on the deadline for defendants to answer is necessary to allow incoming leadership personnel at the United States Department of Labor adequate time to consider the issues. Defendants have conferred with counsel for plaintiff regarding the request for extension on the answer, and plaintiff has no objection to the request provided that all other deadlines for the case be extended by 30 days as well. The parties agree that a 30-day extension on the other deadlines is appropriate, as defendants' answer might aid subsequent proceedings in the case. Therefore, defendants request a 30-day extension on all deadlines.

Respectfully submitted,

JOHN R. PARKER UNITED STATES ATTORNEY

<u>/s/ Lisa R. Hasday</u> Lisa R. Hasday Assistant United States Attorney Texas State Bar No. 24075989 1100 Commerce Street, Third Floor Dallas, Texas 75242-1699 Telephone: 214-659-8737 Facsimile: 214-659-8807 Email: Lisa.Hasday@usdoj.gov

OF COUNSEL:

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CERTIFICATE OF CONFERENCE

I certify that I conferred with Pacific Legal Foundation, counsel for plaintiff, by electronic mail on February 10, 2017. On February 13, 2017, Pacific Legal Foundation stated that plaintiff does not oppose the motion.

<u>/s/ Lisa R. Hasday</u> Lisa R. Hasday Assistant United States Attorney

CERTIFICATE OF SERVICE

I certify that, on February 13, 2017, I electronically filed the foregoing document with the Clerk of Court for the United States District Court for the Northern District of Texas using the Court's electronic case filing system. That system sends a "Notice of Electronic Filing" to the following attorney in charge for plaintiff:

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> <u>/s/ Lisa R. Hasday</u> Lisa R. Hasday Assistant United States Attorney