

MOTION GRANTED.
July 12, 2010
s/David D. Dowd, Jr.
U.S. District Judge

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

U.S. CITIZENS ASSOCIATION, et al.,)	Case No. 5:10-cv-1065
Plaintiffs)	
)	Judge David Dowd
v.)	
)	
BARACK H. OBAMA, et al.,)	<u>Motion for Extension of Time</u>
Defendants.)	

MOTION FOR EXTENSION OF TIME

NOW COME defendants, Barack H. Obama, President of the United States, Kathleen Sebelius, Secretary, U.S. Department of Health and Human Services, Timothy Geithner, Secretary, U.S. Department of Treasury, Eric H. Holder, Jr. Attorney General of the United States, and the United States of America, by the undersigned counsel, and move for a 30-day extension of time to respond to plaintiffs' Complaint in the above-entitled cause. In support of this motion, defendants state:

1. On March 23, 2010, President Obama signed into law the Patient Protection and Affordable Care Act ("ACA"), Pub. L. No. 111-148, 124 Stat. 119 (Mar. 23, 2010). The ACA was then amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, 124 Stat. 1029 (Mar. 30, 2010).

2. Plaintiffs filed this Complaint on May 12, 2010. The Complaint was first received in the Office of the U.S. Attorney for the Northern District of Ohio on May 14, 2010. Pursuant to Federal Rule of Civil Procedure 12(a)(3)(A), the United States and its employees have 60 days to answer the Complaint.

3. Defendants respectfully request that they be provided 30 additional days to respond to plaintiffs' Complaint, and that defendants' response be due on August 12, 2010, in order to afford defendants and their counsel sufficient time to respond to the issues raised by plaintiffs.

4. Defendants' counsel are defending the ACA against numerous lawsuits in multiple districts across the country. Defendants' responses to these suits require extensive consultation within the Executive Branch.

* 5. Although some claims raised by plaintiffs are similar to those the United States (or one of its agencies) is defending in other lawsuits, this case presents claims not yet addressed in other litigation. In view of these allegations, defendants need sufficient time to prepare an appropriate response, and there is good cause to extend defendants' deadline to respond to plaintiffs' Complaint.

6. The undersigned counsel contacted plaintiffs' counsel regarding this motion, and plaintiffs' counsel has no objection to this request for an extension of time.

7. This extension is not requested for purposes of delay, and no other extensions have been sought or granted.

WHEREFORE, defendants respectfully request that the Court grant this motion and extend the deadline for a response to plaintiffs' Complaint to August 12, 2010.

Dated: July 8, 2010

Respectfully submitted,

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