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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

THE LOS ALAMOS STUDY GROUP,)	Case No. 1:11-CV-0946-JEC-WDS
)	
Plaintiff,)	
)	FEDERAL DEFENDANTS'
v.)	UNOPPOSED MOTION FOR AN
)	EXTENSION OF TIME TO ANSWER
UNITED STATES DEPARTMENT OF)	
ENERGY, et al.)	
)	
Defendants.)	
_____)	

Plaintiff filed this action on October 21, 2011. ECF No. 1. Federal Defendants were served on October 25, 2011. ECF No. 10-6 at 4. Under the Federal Rules of Civil Procedure, Federal Defendants' Answer to the Complaint currently is due on or about December 27, 2011.¹ Fed. R. Civ. P. 6(a), 12(a)(2). Federal Defendants hereby move for an extension of time to January 9, 2012, to file their Answer. Plaintiff, through counsel of record, has been consulted and does not oppose this motion for an extension of time.

Under the Federal Rules of Civil Procedure, “[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.” Fed. R. Civ. P. 6(b)(1)(A). “Showing good cause is not a particularly demanding requirement.” *U.S. v. Board of County Comm’rs of County of Dona Ana, New Mexico*, 2010 WL 965607, *3 (D. N.M. Feb. 18, 2010).

Federal Defendants seek an extension of time to January 9, 2012, because the undersigned counsel have other professional obligations and planned leave during the Christmas and New Year holiday period. A number of agency staff are on annual leave and are not available for consultation. An extension of time will not interfere with case management deadlines because no such deadlines have been established in this case.

For the foregoing reasons, Federal Defendants respectfully request an extension of time to January 9, 2012, to file their Answer to Plaintiff's Complaint.

¹ A docket entry from December 1, 2011, states that the Answer is due on January 9, 2012. Federal Defendants base this motion on the date of service on the United States Attorney. Fed. R. Civ. P. 12(a)(2).

Respectfully submitted on this 20th day of December, 2011.

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CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2011, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System for filing, which transmitted a Notice of Electronic Filing to the following CM/ECF registrants:

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