

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

WOODHULL FREEDOM FOUNDATION, )  
HUMAN RIGHTS WATCH, ERIC KOSZYK, )  
JESSE MALEY, A/K/A ALEX ANDREWS, )  
AND THE INTERNET ARCHIVE, )

APPELLANTS, )

No. 18-5298

V. )

THE UNITED STATES OF AMERICA, )  
JEFFERSON B. SESSIONS, III, IN HIS )  
OFFICIAL CAPACITY AS ATTORNEY )  
GENERAL OF THE UNITED STATES, )  
AND MATTHEW G. WHITAKER, IN HIS )  
OFFICIAL CAPACITY AS ATTORNEY )  
GENERAL OF THE UNITED STATES )

APPELLEES. )

**APPELLANTS’ CONSENT MOTION FOR EXTENSION OF TIME**

With the consent of the Appellees, and pursuant to Federal Rule of Appellate Procedure 28 and D.C. Circuit Rule 28(e), Appellants Woodhull Freedom Foundation, Human Rights Watch, Eric Koszyk, Jessie Maley, a/k/a Alex Andrews, and The Internet Archive hereby move to extend the time for filing all briefing in this case as indicated below. Appellants make this request more than 30 days before the current January 14, 2019 deadline to submit an opening brief. This is Appellants’ first request for an extension.

Good cause exists for granting this motion:

1. The additional time is requested due to the press of business for counsel, as well as pre-planned holiday schedules, that make timely completion of briefing unusually challenging. For example, counsel Davis, Wright & Tremaine have the following court deadlines: a merits briefs due December 28, 2018 in *In re: Any and All Funds Held in Republic Bank of Arizona Accounts XXXX1889, XXXX2592, XXXX1938, XXXX2912, and XXXX2500*, No. 18-56455 (9th Cir.); a reply to an opposition to a petition for certiorari due January 14, 2019 in *Abbott v. Pastides*, No. 18-704. Counsel Electronic Frontier Foundation have a summary judgment hearing in *Electronic Frontier Foundation v. Department of Justice*, 17-cv-03263-VC (N.D. Cal.) on December 20, 2018; and a reply brief due January 14, 2019 in *In Re U.S. Dep't of Justice*, 18-mc-0057-LJO (E.D. Cal.). In addition, all counsel and Appellants themselves are either unavailable or short-staffed during the winter holidays, from December 22, 2018 through January 2, 2019, because of pre-planned vacations, making coordination difficult during that time.
2. The proposed extended filing dates set forth below were reached through consensus of the parties as best accommodating the

scheduling needs of both parties. Specifically, the parties have agreed to the following modified briefing schedule:

Appellants' Brief	February 13, 2019
Appendix	February 13, 2019
Appellees' Brief	March 15, 2019
Appellants' Reply Brief	April 5, 2019

3. Oral argument has not yet been scheduled, and the requested extension should not unduly delay the ultimate disposition of this appeal.

WHEREFORE, Appellants respectfully request an extension of time up to and including February 13, 2019 to file its opening brief. In addition, Appellants respectfully request that this Court further extend all other briefing deadlines commensurately, as set forth above.

Dated: December 11, 2018

Respectfully submitted,

/s/ David Greene

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 11th day of December, 2018, the foregoing Appellants' Consent Motion for Extension of Time has been served by this Court's Electronic Case Filing System.

/s/ David Greene

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