

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>STEPHEN L. BRAGA</b>	)	
	)	
<b>PLAINTIFF,</b>	)	
	)	
<b>v.</b>	)	<b>Case 1:12-cv-00139 (JEB)</b>
	)	
	)	
<b>FEDERAL BUREAU OF INVESTIGATION,</b>	)	
<b>U.S. DEPARTMENT OF JUSTICE,</b>	)	
	)	
<b>DEFENDANT.</b>	)	

**MOTION FOR ENLARGEMENT OF TIME TO FILE ANSWER**

Pursuant to Federal Rule of Civil Procedure 6(b), Defendant requests a 30-day enlargement of time in which to file an answer or otherwise respond to Plaintiff’s complaint. In accordance with Local Civil Rule 7(m), Defendant conferred with Plaintiff and Plaintiff consents to this enlargement of time. This is the first enlargement of time that Defendant has sought, and granting this motion should cause no prejudice.

Defendant seeks an enlargement of time because its counsel needs thirty days to review the facts and law underlying this FOIA lawsuit, confer with agency counsel, and prepare an appropriate response to the complaint. Although the Return Of Service filed by Plaintiff indicates that the United States Attorney was served February 22, 2012, the U.S. Attorney’s Office first received notice of the complaint today, March 22, 2012. The signature on the certified mail receipt filed with the service appears to be from an individual in another component of the Department of Justice. The materials for which that individual signed did not reach the civil process clerk for the U.S. Attorney. Although Defendant could insist upon formal compliance with Rule 4(i), and request that Plaintiff re-send the complaint and summons to the Civil Process Clerk at the Civil Division of the U.S.

Attorney's Office, Defendant believes it would be more efficient to simply request an enlargement of time to make the response to the complaint due thirty days after today, i.e., April 23, 2012. Granting this enlargement motion would give Defendant the 30-day period of time that federal defendants typically receive to prepare a response to a FOIA complaint.

Respectfully submitted,

RONALD C. MACHEN JR.  
UNITED STATES ATTORNEY  
D.C. BAR NUMBER 447889

RUDOLPH CONTRERAS, D.C. Bar No. 434122  
Chief, Civil Division

By:                     /s/                      
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	)	
<b>DEFENDANT.</b>	)	

**[Proposed] Order**

Upon Consideration of the Defendant’s motion for an extension of time to file its Answer, for good cause shown, and the entire record herein, it is hereby

ORDERED that Defendant’s Motion is GRANTED, and Defendant shall file its Answer no later than April 23, 2012.

It is so ORDERED by the Court this \_\_\_\_ day of \_\_\_\_\_, 2012.

**HONORABLE JAMES E. BOASBERG  
UNITED STATES DISTRICT JUDGE**