

UNITED STATES DISTRICT COURT  
SOUTHRN DISTRICT OF FLORIDA

CASE NO. 08-80736-CIV-MARRA

JANE DOE 1 AND JANE DOE 2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

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RESPONDENT'S UNOPPOSED MOTION TO AMEND SCHEDULING ORDER

Respondent, by and through its undersigned counsel, files its Unopposed Motion to Amend Scheduling Order, and states:

1. On December 23, 2015, the Court entered its Scheduling Order, setting forth dates on which the parties are to file their respective motions for summary judgment; responses thereto; and replies. D.E. 346. This Order was based upon the parties Joint Scheduling Report, filed on December 17, 2015. D.E. 345.

2. When the Joint Scheduling Report was filed, respondent expected it would be able to respond to petitioners' Third Request for Admissions to the Government Regarding Questions Relevant to "Victim" Status under the Crime Victim Rights Act, and petitioners' Supplemental Request for Production to The Government Regarding "Victim" Status, by January 19, 2016. This would have allowed petitioners to have the responses prior to January 22, 2016, the date they were to file their motion for summary judgment. D.E. 346, ¶ 1.

3. Due to the absence of one of respondent's co-counsel during the period January 14 – 24, 2016, respondent's counsel were unable to prepare the responses to the two discovery

requests by January 19, 2016. Respondent asked petitioner's counsel for an extension until February 1, 2016, to which they graciously consented. Since petitioners will not have the responses prior to the filing of their motion for summary judgment, the parties have agreed to seek leave of the Court to amend the briefing schedule to the following:

|                   |                                                                                                                                                                                                                         |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| February 10, 2016 | Petitioners shall file their motion for summary judgment (presently due on January 22, 2016)                                                                                                                            |
| March 24, 2016    | Government shall file its response to petitioners' motion for summary judgment, and its own cross-motion for summary judgment (presently due on February 22, 2016)                                                      |
| April 12, 2016    | Petitioners shall file their reply to the Government's response to petitioners' motion for summary judgment, and their response to the Government's cross-motion for summary judgment (presently due on March 11, 2016) |
| April 26, 2016    | Government shall file its reply to petitioners' response to the Government's cross-motion for summary judgment (presently due on March 25, 2016)                                                                        |

4. Respondent respectfully requests the Scheduling Order be amended to reflect the adjusted dates in the preceding paragraph. A proposed Order is attached.

DATED: January 20, 2016

Respectfully submitted,

WIFREDO A. FERRER  
UNITED STATES ATTORNEY

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ATTORNEY FOR RESPONDENT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 20, 2016, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

s/ Dexter A. Lee  
DEXTER A. LEE  
Assistant U.S. Attorney

SERVICE LIST

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-80736-CIV-MARRA

JANE DOE 1 AND JANE DOE 2,

Petitioners.

vs.

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ORDER GRANTING UNOPPOSED MOTION TO AMEND SCHEDULING ORDER

This matter is before the Court upon respondent's Unopposed Motion to Amend Scheduling Order. It is hereby **ORDERED AND ADJUDGED**;

1. Petitioners shall file their motion for summary judgment addressing whether a violation of the CVRA occurred by **February 10, 2016**.
2. The Government shall file its response to Petitioners' motion for summary judgment, and its own cross-motion for summary judgment, by **March 24, 2016**.
3. Petitioners shall file their reply to the Government's response to Petitioners' motion for summary judgment, and their response to the Government's cross-motion for summary judgment, by **April 12, 2016**.
4. The Government shall file its reply to Petitioners' response to the Government's cross-motion for summary judgment by **April 26, 2016**.
5. In the event the Court finds that a disputed issue of fact precludes the granting of

summary judgment, the Court will schedule an evidentiary hearing at a later date.

**DONE AND ORDERED** in chambers at West Palm Beach, Palm Beach County,  
Florida, this \_\_\_\_ day of January, 2016.

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KENNETH A. MARRA  
United States District Judge