

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-80736-CIV-MARRA

JANE DOE 1 AND JANE DOE 2,

Petitioners,

vs.

UNITED STATES,

Respondent.

RESPONDENT'S MOTION FOR LEAVE OF COURT TO FILE RESPONSE TO
PETITIONERS' MOTION FOR PARTIAL SUMMARY JUDGMENT AND CROSS-MOTION
FOR SUMMARY JUDGMENT, AND RESPONSE TO PETITIONERS' STATEMENT OF
UNDISPUTED MATERIAL FACTS, IN EXCESS OF PAGE LIMITATIONS

Respondent, by and through its undersigned counsel, files its Motion for Leave of Court to File Response to Petitioners' Motion for Partial Summary Judgment and Cross-Motion for Summary Judgment, and Response to Petitioners' Statement of Undisputed Material Facts, in Excess of Page Limitations, and state:

1. Respondent has prepared its Response to Petitioners' Statement of Undisputed Material Facts in Support of Petitioners' Motion for Partial Summary Judgment (D.E. 361), which numbers twenty pages, attached as Exhibit A. S.D.Fla. L.R. 56.1(a)(1) provides that a Statement Material Facts shall not exceed ten (10) pages in length. Petitioners obtained leave of the Court to submit a Statement of Material Facts that was 39 pages in length, encompassing 157 separate assertions of material fact. D.E. 361 at 8-47. In order to respond to the 157 assertions of material fact, respondent needed twenty pages. Respondent respectfully requests leave of the Court to file its Response to Petitioners' Statement of Undisputed Material Facts in Support of Petitioners' Motion for Partial Summary Judgment, numbering twenty pages.

2. Respondent has also prepared its Response and Opposition to Petitioners' Motion for Partial Summary Judgment and Cross-Motion for Summary Judgment, which numbers thirty (30) pages, and is attached as Exhibit B. S.D.Fla. L.R. 7.1(c)(2) provides that an opposing memorandum of law shall not exceed twenty (20) pages, absent prior permission of the Court. Respondent's response and cross-motion exceeds the twenty-page limit by ten pages because it combines both a response and opposition to petitioners' motion, and respondent's own cross-motion for summary judgment. Respondent respectfully requests leave of the Court to file its response and opposition to petitioners' motion for partial summary judgment and cross-motion for summary judgment, numbering thirty pages.

3. Respondent has conferred with petitioners' counsel, and they graciously do not oppose respondent's motion, as to either the statement of material facts or the response and cross-motion for summary judgment.

WHEREFORE, respondent respectfully requests leave of the Court to file its response to petitioners' statement of undisputed material facts, numbering twenty pages; and response to petitioners' motion for partial summary judgment, and cross-motion for summary judgment, numbering thirty pages.

DATED: June 2, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 2, 2017, the foregoing Motion for Leave of Court to File Response to Motion for Partial Summary Judgment and Cross-Motion for Summary Judgment, and Response to Petitioners' Statement of Undisputed Material Facts, in Excess of Page Limitations, was filed with the Clerk of the Court and served on counsel on the attached service list using CM/ECF.

/s/ Dexter A. Lee

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