

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ESTATE OF GEORGE WATTS, JR.,

Plaintiff,

v.

LLOYD J. AUSTIN III in his official
capacity as Secretary of the United States
Department of Defense,

Defendant.

Civil Action No. 1:23-cv-01544

CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND

By and through undersigned counsel, Defendant respectfully moves to extend the deadline to respond to the Complaint in this matter by 21 days to September 1, 2023. Plaintiff, through counsel, has graciously consented to the relief sought by this motion. The grounds for this motion are as follows.

Plaintiff filed this suit on May 31, 2023 and served the U.S. Attorney's Office on or about June 5, 2023. Defendant's deadline to respond to the Complaint is currently August 4, 2023.

While the undersigned has just recently been assigned to this matter, counsel has already reached-out to the relevant agency and intends to promptly gather information necessary for the defense of this action. That said, the undersigned requires a reasonable period of additional time to discuss this matter with the relevant agency and formulate

and coordinate Defendant's response to Plaintiff's Complaint. Accordingly, Defendant requests this extension of time.

Defendant proposes this extension in good faith and not for the purpose of delay. This is Defendant's first request for an extension in this matter. Granting the requested extension will not impact any other deadlines and will serve the interests of justice by affording government counsel a reasonable period of additional time to further discuss this matter with the relevant agency, gather necessary information, and formulate and coordinate a response to Plaintiff's Complaint.

With Plaintiff's consent, Defendant respectfully requests that the deadline to respond to the Complaint be extended through and including September 1, 2023. A proposed order is enclosed herewith.

Dated: July 28, 2023
Washington, DC

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

ALEXANDER K. HAAS
Director, Federal Programs Branch

TERRY HENRY
Assistant Branch Director

/s/ Zachary A. Avallone

ZACHARY A. AVALLONE

(D.C. Bar No. 1023361)

Trial Attorney

United States Department of Justice

Civil Division, Federal Programs Branch

1100 L Street, N.W.
Washington, DC 20005
Tel: (202) 514-2705
Fax: (202) 616-8460
Email: zachary.a.avallone@usdoj.gov

Counsel for Defendant