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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

KELSEY CASCADIA ROSE JULIANA;
XIUHTEZCATL TONATIUH M., through his
Guardian Tamara Roske-Martinez; et al.,

Plaintiffs,

v.

The UNITED STATES OF AMERICA;
DONALD TRUMP, in his official capacity as
President of the United States; et al.,

Defendants.

Case No.: 6:15-cv-01517-TC

**PLAINTIFFS' MOTION TO EXTEND
TIME TO RESPOND TO DEFENDANTS'
MOTION FOR PROTECTIVE ORDER**

Expedited Review Requested

**PLAINTIFFS' MOTION TO EXTEND TIME TO RESPOND TO DEFENDANTS'
MOTION FOR PROTECTIVE ORDER**

LR 7-1 CERTIFICATION

The undersigned certifies that on June 12, 2018 counsel for Plaintiffs contacted counsel for Defendants for their position on this Motion to extend time to respond to Defendants' motion for protective order. However, as of the filing of this Motion, Defendants have yet to take a position. *See* Declaration of Julia A. Olson in Support of Plaintiffs' Motion to Extend Time ("Olson Decl."), ¶ 10.

MOTION TO ENLARGE TIME TO RESPOND

Plaintiffs respectfully move the Court to enlarge their time to file their response brief in opposition to Defendants' Motion for Protective Order (ECF No. 217).

Under Fed. R. Civ. P. 6(b)(1), the Court may enlarge the time for filing pleadings for good cause. Because Plaintiffs' response is otherwise due on Monday, June 18, Plaintiffs request an additional ten (10) days, until June 28, to submit Plaintiffs' response in opposition to Defendants' Motion for Protective Order. The grounds for this Motion are as follows and supported by the Declaration of Julia A. Olson in Support of Plaintiffs' Motion to Extend Time:

1. This is Plaintiffs' first request to enlarge time to respond to Defendants' Motion for Protective Order.
2. Most importantly, Plaintiffs have reviewed the pending Requests for Admissions and Rule 30(b)(6) deposition notices that are the subject matters of the instant Motion in light of the direction provided at the June 6, 2018 Status Conference regarding discovery and in light of the meet and confer with Defendants on June 5, 2018. Plaintiffs have requested to meet and confer with Defendants regarding Plaintiffs' outstanding RFAs and Rule 30(b)(6) deposition notices to attempt determine a path forward that best addresses the needs and concerns of both parties. Plaintiffs are also

following the advice of the Court “to see if you can resolve many of these things with another meet and confer.” Olson Decl. at ¶ 3. Plaintiffs expect that the parties can come to an agreement that will eliminate the need for the Court to rule on Defendants’ Motion for a Protective Order.

3. In addition to Defendants’ Motion for Protective Order (ECF No. 217), Defendants have filed the following motions, which have required Plaintiffs to spend time preparing and filing opposition papers and motions:
 - a. Defendants’ Motion for Judgment on the Pleadings, ECF No. 195,
 - b. Defendants’ Motion for Protective Order and Stay of All Discovery, ECF No. 196,
 - c. Defendants’ Motion for Summary Judgment, ECF No. 207,
 - d. Defendants’ Objections to Order Denying Motion for a Protective Order and Stay of Discovery, ECF No. 215, and
 - e. Defendants’ Motion to Stay Discovery Pending Resolution of Objections, ECF No. 216.
4. During the past week, Plaintiffs conducted an in-person meet and confer session with Defendants on June 5, finalized the parties’ Stipulated Protective Order, attended a status conference before Judge Coffin on the morning of June 6, and conducted an IT training in Courtroom One on the afternoon of June 6.
5. On June 7, pursuant to the Court’s request for an expedited response, Plaintiffs filed their Response in Opposition to Defendants’ Motion to Stay of Discovery Pending Resolution of Objections to Judge Coffin’s order on their motion for protective order and stay.

6. On June 8, Plaintiffs filed their Motion to Defer Consideration of Defendants' Motion for Summary Judgment until after the conclusion of discovery and until trial.
Plaintiffs' development of the factual record and discovery are ongoing.
7. Plaintiffs have not been guilty of negligence or bad faith, but are acting diligently to respond timely to motions, to propound discovery, to prepare for trial, and to provide the Court with the most complete and accurate factual record possible for its resolution of these vital constitutional claims.

Accordingly, Plaintiffs hereby respectfully request an enlargement of time to file a responsive pleading to Defendants' Motion for Protective Order (ECF No. 217) until June 28, 2018, if a response is necessary after the parties meet and confer in an effort to resolve the issues presented in the motion.

DATED this 13th day of June, 2018, at Eugene, Oregon.

/s/ Julia A. Olson

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