

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:08CV709
)	
JEAN CUNNINGHAM, et al.,)	
)	
Defendants.)	
)	
_____)	

**PLAINTIFF’S CONSENT MOTION FOR
BRIEFING SCHEDULE AND BRIEF IN SUPPORT**

Plaintiff, the United States of America, by counsel, respectfully requests this Court to enter the attached Briefing Schedule for purposes of summary judgment briefing. In support of this motion, Plaintiff states the following:

Defendants filed their Motion for Summary Judgment on July 17, 2009. Plaintiff plans to file a Cross-Motion for Summary Judgment along with its opposition to Defendants’ Motion for Summary Judgment. Plaintiff and Defendants have conferred and agreed upon the attached briefing schedule.

WHEREFORE, Plaintiff respectfully requests that the Court enter the attached agreed-upon Briefing Schedule providing that Plaintiff has until August 28, 2009, in which to file an Opposition and Motion for Summary Judgment; Defendants have until September 11, 2009 to file any Opposition and Reply; and Plaintiff has until September 18, 2009 to file any Reply.

Dated: July 21, 2009

Respectfully Submitted,

LORETTA KING
ACTING ASSISTANT ATTORNEY GENERAL

DANA J. BOENTE
UNITED STATES ATTORNEY

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of July, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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By: /s/
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AGREED SUMMARY JUDGMENT BRIEFING SCHEDULE

Plaintiff, having moved this Court for a schedule within which the parties may file summary judgment briefing in this case, and Defendants having agreed to this proposed schedule, it is ORDERED that:

- Plaintiff’s Opposition and Motion for Summary Judgment, if any, shall be filed by August 28, 2009;
- Defendants’ Opposition & Reply Brief, if any, shall be filed by September 11, 2009; and
- Plaintiff’s Reply Brief, if any, shall be filed by September 18, 2009.

Dated: _____

Richard L. Williams
Senior United States District Judge