

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FELICITY M. VEASEY and)
SECOND AMENDMENT FOUNDATION,)
INC.,)

Plaintiffs,)

v.)

Case No. 5:14-CV-369-BO

BRINDELL B. WILKINS, JR., in his official)
Capacity as Sheriff of Granville County,)
North Carolina,)

Defendant.)

**PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
REPLY TO DEFENDANT'S RESPONSE TO
PLAINTIFFS' 42 U.S.C. § 1988 PETITION FOR ATTORNEYS' FEES**

COMES NOW the Plaintiffs, FELICITY M. VEASEY and SECOND AMENDMENT FOUNDATION, INC., by and through undersigned counsel, and moves for an extension of time to file their Reply to Defendant's Response to their 42 U.S.C. § 1988_Petition for Attorneys' Fees. In support thereof, Plaintiffs state as follows:

1. Plaintiff filed a pending 42 U.S.C. § 1988_Petition for Attorneys' Fees and supporting Memorandum (Dkt. ## 64, 65). The State of North Carolina intervened and filed a Response (Dkt. #82), and Plaintiffs' Reply is due on January 7, 2016.

2. Plaintiffs' counsel diligently worked towards completing their Reply, but unfortunately requires more time than anticipated due to caseloads and the

recent holiday period. Therefore, Plaintiffs seek seven additional days to file the Reply.

3. Since this a Reply brief, no further briefing is due on the Petition and Defendant will not be prejudiced by its filing.

4. Plaintiffs contacted counsel for the State on January 6, 2016 as to their position as to this Motion, and by telephone message counsel for the State represented that the State was unopposed to this Motion.

5. Since this matter has become intertwined with the similar matter of *Messmer v. Wilkins*, 4:15-CV-42-BR, and the deadlines are the same, counsel for the State represented he was likewise unopposed to a similar seven day extension for the Reply in the pending Fee Petition in that case, as well.

6. This Motion is brought in good faith and not for dilatory purposes or for delay, as Plaintiffs have worked diligently to complete and present all pleadings to the Court.

WHEREFORE, the Plaintiffs requests this Honorable Court:

1. Grant Plaintiffs leave to file their Reply to Defendant's Response to their 42 U.S.C. § 1988_Petition for Attorneys' Fees within seven days;

2. Grant Plaintiffs any and all further relief as this Court deems just and proper, including a similar extension of time in *Messmer v. Wilkins*, 4:15-CV-42-BR.

Dated: January 7, 2016

Respectfully submitted,

By: /s/ David G. Sigale
David G. Sigale

One of the Attorneys for Plaintiffs

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CERTIFICATE OF ATTORNEY AND NOTICE OF ELECTRONIC FILING

The undersigned certifies that:

1. On January 7, 2016, the foregoing document was electronically filed with the District Court Clerk *via* CM/ECF filing system;
2. Pursuant to F.R.Civ.P. 5, the undersigned certifies that, to his best information and belief, there are no non-CM/ECF participants in this matter.

/s/ David G. Sigale
One of the Attorneys for Plaintiffs