

*RCW ~ 7-18-14*

**Motions**

3:13-cv-00992-HZ Lewis v. Federal Aviation Administration et al

**U.S. District Court**

**District of Oregon**

**Notice of Electronic Filing**

The following transaction was entered by Danielson, Kevin on 7/16/2014 at 1:41 PM PDT and filed on 7/16/2014

**Case Name:** Lewis v. Federal Aviation Administration et al

**Case Number:** 3:13-cv-00992-HZ

**Filer:** Federal Aviation Administration  
Michael Huerta

**Document Number:** 24

**Docket Text:**

**Unopposed Motion for Extension of Time . Filed by Federal Aviation Administration, Michael Huerta. (Danielson, Kevin)**

**3:13-cv-00992-HZ Notice has been electronically mailed to:**

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**3:13-cv-00992-HZ Notice will not be electronically mailed to:**

Jeffrey Nathan Lewis  
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The following document(s) are associated with this transaction:

**Document description:**Main Document

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[STAMP ordStamp\_ID=875559790 [Date=7/16/2014] [FileNumber=4816656-0] [218934e7ff2bb63194ec31ceaea89787cfd92daf3b69b244badc86a5dec2797e98733872d126efe1485a8f2ac410af33efa669ab42aa4c86746e8d6bd4e8545]]

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Administrator Michael Huerta

**UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

**PORTLAND DIVISION**

**JEFFREY NATHAN LEWIS,**

**Case No. 3:13-cv-00992-HZ**

**Plaintiff,**

**v.**

**DEFENDANTS' UNOPPOSED  
MOTION FOR EXTENSION OF  
TIME**

**FEDERAL AVIATION  
ADMINISTRATION, and FAA  
Administrator Michael Huerta,**

**Defendants.**

### **CERTIFICATE OF COMPLIANCE WITH LR 7-1**

Counsel for Defendant has discussed this matter with pro se Plaintiff Jeffrey Lewis and he does not object to this motion.

### **MOTION**

Defendants Federal Aviation Administration and Administrator Michael Huerta (“Defendant”), by S. Amanda Marshall, United States Attorney for the District of Oregon, through Assistant U.S. Attorney Kevin Danielson, move this Court to extend the briefing scheduling order by 21-days for the following reasons:

1. This action was brought under the Freedom of Information Act, 5 U.S.C. § 552. Plaintiff alleged that Defendant unlawfully failed to respond to approximately 14 FOIA requests.
2. Dispositive motions are due by 7/21/2014. Dkt. 22.
3. On two separate dates, counsel for Defendant and Mr. Lewis have met and spent a total of nine hours reviewing the documents and the exemptions claimed by Defendant.
4. The parties have not been able to resolve their disputes over the documents withheld by the Defendant under the FOIA exemptions.
5. Counsel for the Defendant requests the extension of time because of the demands of other cases.
6. In *Lane v. Kitzhaber*, No. 3:12:-cv-00138-ST, counsel was given the assignment of representing the U.S. Department of Education, the U.S. Department of Labor, and the U.S. Department of Health and Human Services after they were issued a subpoena for documents. Because of the volume of documents that were subpoenaed and other

complications, counsel has spent a substantial amount of time on this case and it has prevented him from completing the briefing in the instant action.

7. In May of 2014, three cases were re-assigned to counsel and the trial is set for September. Counsel has spent a substantial amount of time on these cases and it has prevented him from completing the briefing in the instant action. *Scott v. U.S. Postal Service*, No. 6:13-cv-00321-AA; *Roberts v. United States*, No. 6:11-cv-06395-AA; *Roberts v. U.S. Postal Service*, 6:13-cv-00693-AA.

8. Defendant proposes the briefing schedule be modified as follows:

- a. All dispositive motions are due by 8/11/2014.
- b. Responses and replies are due pursuant to the Federal Rules of Civil Procedure.

9. This motion is made in good faith and not for purposes of delay.

### CONCLUSION

Defendant requests that the scheduling order be modified as set forth above.

DATED this 16<sup>th</sup> day of July 2014.

Respectfully submitted,

S. AMANDA MARSHALL  
United States Attorney  
District of Oregon

/s/Kevin Danielson  
KEVIN DANIELSON  
Assistant U.S. Attorney  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the **DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME** was sent by first-class postage and deposited in the United States mail in Portland, Oregon, on July 16, 2014, and addressed as follows:

Jeffrey Lewis  
28242 S. Salo Rd.  
Mulino, OR 97042

Plaintiff, pro se

/s/Deanne Bateson  
DEANNE BATESON  
Legal Assistant

**CERTIFICATE OF SERVICE**