

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**STEPHEN DEARTH and SECOND** )  
**AMENDMENT FOUNDATION, INC.,** )  
) )  
**Plaintiffs,** )  
) )  
**v.** )  
) )  
**ERIC HOLDER, Attorney General of** )  
**the United States, in his official capacity,** )  
) )  
**Defendant.** )  
\_\_\_\_\_ )

**Civil Action No. 1:09-cv-00587 (RLW)**

**DEFENDANT’S UNOPPOSED MOTION TO EXCEED PAGE LIMITS**

Defendant respectfully moves the Court for permission to exceed the page limitation in Local Rule 7(e) for purposes of Defendant’s Reply Brief in Support of his Motion for Judgment on the Pleadings, or in the Alternative, for Summary Judgment. Defendant expects that his reply brief will be no longer than thirty-three (33) pages. The brief is due for filing on or before February 1, 2012. Plaintiffs do not oppose this motion.

Plaintiffs’ opposition brief presents several arguments in response to Defendant’s motion for judgment on the pleadings or for summary judgment, and concerns an evolving area of constitutional law. Permitting additional pages will allow Defendant to more fully brief Second Amendment doctrine as it applies to Plaintiffs’ claims. Counsel for Defendant are cognizant of this Court’s preference for concise briefing and are working diligently to revise their brief to as few pages as possible without compromising Defendant’s substantive arguments.

Consequently, Defendant respectfully requests that the Court grant him permission to exceed the page limitation, and to file a Reply Brief in Support of his Motion for Judgment on

the Pleadings, or in the Alternative, for Summary Judgment no longer than thirty-three (33) pages. A proposed order is attached hereto.

January 30, 2012

Respectfully submitted,

TONY WEST  
Assistant Attorney General

RONALD C. MACHEN  
United States Attorney

SANDRA M. SCHRAIBMAN  
(D.C. Bar No. 188599)  
Assistant Branch Director  
U.S. Department of Justice  
Civil Division, Federal Programs Branch

/s/ Daniel Riess  
DANIEL RIESS  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue, NW, Room 6122  
Washington, D.C. 20530  
202.353.3098/Fax 202.616.8460

*Attorneys for Defendant*