

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORTH WORTH DIVISION**

DATA MARKETING PARTNERSHIP, LP,
et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
LABOR, et al.,

Defendants.

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) Civil Action No. 4:19-cv-00800-O
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**CONSENT MOTION FOR EXTENSION OF TIME
FOR SUMMARY JUDGMENT BRIEFING**

Defendants respectfully request that the Court grant a one month extension, through March 29, 2024, for the Defendants to file their opposition to Plaintiffs' Motion for Summary Judgment.

There is good cause to grant this extension:

1. The Court's September 15, 2023 Order [ECF No. 55] set a February 26, 2024 deadline for Defendants' opposition to Plaintiffs' Motion for Summary Judgment.

2. The parties are currently conferring regarding whether a nonjudicial resolution of this matter is possible. A one month extension through March 29, 2024 would make room for additional discussion before continuing with summary judgment briefing.

3. In addition, undersigned counsel has been unable to give full attention to this matter due to his responsibility for producing more than 80,000 responsive documents in another case in January and February 2024, and compiling an accompanying privilege log. Further, the Department of Labor's agency counsel for this matter has been occupied with a separate trial that

has unexpectedly been extended through much of February, which has prevented her from assisting with the scheduled briefing in this case.

4. This extension will not prejudice any party. Undersigned counsel conferred with Plaintiffs' counsel who stated that Plaintiffs consent to this motion and request that their reply brief be set for April 19, 2024, three weeks after Defendants' opposition brief.

Dated: February 15, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

JULIE STRAUS HARRIS
Assistant Director
Civil Division, Federal Programs Branch

/s/ Galen N. Thorp
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Counsel for Defendants

CERTIFICATE OF SERVICE

On February 15, 2024, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served the parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Galen N. Thorp
GALEN N. THORP