

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

SAMIR HAMEL et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF VETERANS
AFFAIRS, et al.,

Defendants.

Case No. 1:18-cv-1005 (RC)

**JOINT MOTION FOR LEAVE TO FILE AMENDED COMPLAINT
AND FOR EXTENSION OF TIME**

The parties respectfully submit this joint motion for leave to Plaintiffs to file the Amended Complaint accompanying this motion and to extend Defendants' deadline to respond to the Amended Complaint to July 13, 2018. In support of the motion, the parties state the following:

1. Plaintiffs filed the Complaint in this matter on April 30, 2018, and served the Complaint on May 7, 2018. *See* Dkt. Nos. 1, 3.
2. Plaintiffs seek to amend the Complaint to reflect the fact that Defendant Robert Wilkie has resigned his position as Acting Secretary of Veterans Affairs since the Complaint was filed, and has now been replaced by Defendant Peter O'Rourke, the new Acting Secretary and former Chief of Staff of the Department of Veterans Affairs. The Amended Complaint also includes adjusted figures for the number of rulemakings, contracts, and other agency actions taken since the Complaint was filed.

3. Defendants' responsive pleading to the Complaint is currently due July 6, 2018. *See* Dkt. No. 3. Under Fed. R. Civ. P. 15(a), Defendants have the later of July 6 or fourteen days from service of the Amended Complaint to file their response to the Amended Complaint.

4. Defendants seek a one-week extension of their deadline to respond to the Amended Complaint to July 13, 2018.

5. The parties met and conferred via telephone and subsequently via email on July 19 and 20, 2018. Defendants consented to the filing of the Amended Complaint. Plaintiffs consented to a one-week extension of Defendants' response deadline.

For these reasons, the parties respectfully request that the Court grant Plaintiffs leave to file the Amended Complaint, and enter an order extending the deadline for Defendants' responsive pleading to July 13, 2018.

Dated: June 20, 2018

/s/ John T. Lewis
JOHN T. LEWIS (D.C. Bar No. 1033826)
Democracy Forward Foundation
1333 H St. NW
Washington, DC 20005
(202) 448-9090
jlewis@democracyforward.org

Respectfully submitted,

/s/ Gary Feldon (with consent)
GARY FELDON (D.C. Bar No. 987142)
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave., NW
Washington, DC 20530
Tel.: (202) 514-4686
Fax: (202) 616-8470
gary.d.feldon@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2018, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM-ECF system.

/s/ John T. Lewis

John T. Lewis

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**[PROPOSED] ORDER GRANTING LEAVE TO FILE AMENDED COMPLAINT
AND EXTENDING RESPONSIVE PLEADING DEADLINE**

Having reviewed the parties' joint motion for leave to Plaintiffs to file an Amended Complaint and to extend Defendants' responsive pleading deadline, the Court hereby:

1. GRANTS Plaintiffs leave to file the Amended Complaint attached as Exhibit A to the parties' joint motion, and the Amended Complaint is deemed filed and served as of the date of this Order; and

2. ORDERS that Defendants will file a responsive pleading to the Amended Complaint by July 13, 2018.

IT IS SO ORDERED.

Dated: _____

Hon. Rudolph Contreras
United States District Court
District of Columbia