

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

ORLY TAITZ,

:

Plaintiff,

:

v.

:

Civil No. ELH-13-1878

CAROLYN COLVIN,

:

Defendant.

:

:

...o0o...

**MOTION TO EXTEND TIME TO RESPOND TO
THE SECOND AMENDED COMPLAINT**

Now comes the Carolyn Colvin, Acting Commissioner of Social Security, by the undersigned counsel, and respectfully requests leave to file a motion, answer or other appropriate response to the plaintiff's second amended complaint on or before February 7, 2014.

In support wherefore, the defendant states:

1. This is a Freedom of Information Act case. The FOIA request was sent to the agency, the Social Security Administration, in April 2013. Suit was filed in June 2013.

2. The FOIA request involved three individuals, for each of whom the plaintiff sought specific information. The agency has produced the information requested as to two of the individuals. As to the third, the agency found no responsive documents.

3. The Court granted the agency's motion to dismiss in December 2013. The Court permitted the plaintiff to amend the complaint to allege that the search was inadequate as to the third individual. On January 3, 2014, the plaintiff filed the now-

operative second amended complaint, which alleges that the search was not adequate.

4. The Assistant U.S. Attorney assigned to this case, AUSA Norman, will retire on January 24. This case has been reassigned to the undersigned AUSA. On January 13, the undersigned AUSA conferred with staff at the agency and advised that new affidavit would be required that establishes exactly how the search was conducted. It is anticipated that this affidavit can be produced and a motion to dismiss prepared within the time requested herein.

5. Undersigned counsel has not communicated this request to the pro se plaintiff. Undersigned counsel, however, is aware of no unfair prejudice that would attend the granting of this request.

WHEREFORE the defendant respectfully requests leave to move, answer or otherwise respond to the complaint on or before February 7, 2014.

Respectfully submitted,

Rod J. Rosenstein
United States Attorney

By: _____/s/_____
Allen F. Loucks
Assistant United States Attorney
36 South Charles Street
Fourth Floor
Baltimore, Maryland 21201
(410) 209-4800

Certificate of Service

I certify that on January 13, 2014, I caused a copy of the foregoing motion to be mailed, first class, postage pre-paid to Orly Taitz, 29839 Santa Margarita Parkway, Suite 100, Rancho Santa Margarita, California 92688.

_____/s/
Allen Loucks
Assistant United States Attorney