

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

PATRICK MONTGOMERY and
BRADY KNOWLTON,

Defendants

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Case No. 21-CR-00046-RDM

**DEFENDANTS' JOINT MOTION FOR EXTENSION OF TIME TO
FILE REPLY TO GOVERNMENT'S RESPONSE TO DEFENDANTS' JOINT
SUPPLEMENTAL BRIEF AND CONTINUE STATUS CONFERENCE**

TO THE HONORABLE RANDOLPH D. MOSS, UNITED STATES DISTRICT
JUDGE FOR THE DISTRICT OF COLUMBIA:

PATRICK MONTGOMERY and BRADY KNOWLTON, the Defendants in the
above styled and numbered cause, by and through their respective, undersigned coun-
sel, respectfully request an extension of time to file their reply to the Government's
Response to Defendants' Joint Supplemental Brief filed October 15, 2021 (Doc. 63)
and to continue the status conference presently scheduled for October 22, 2021 at
2:30 p.m. (*See Minute Entry of 7/28/21*).

1. Presently pending before this Court is Defendants' Motion to Dismiss Count Ten
of the Indictment (Doc. 39; *see* Doc. 40 – Defendant Patrick Montgomery's Motion
for Joinder; Doc. 59 – Defendants' Amendment to their Motion to Dismiss Count
Ten).
2. On August 3, 2021, this Court held a hearing on Defendants' motion and indicated
that additional briefing would assist the Court in resolving the issues raised

therein. *See* Transcript of Video Motion Hearing (VMH) at 5. The parties so moved and this Court ordered that Defendants file their brief by September 3, 2021 and that the Government respond by September 17, 2021. VMH at 64–65.

3. On September 3, 2021, Defendants jointly moved to extend the deadline to file their brief to September 17, 2021 which this Court granted. (Doc. 56 and subsequent minute order). Defendants filed their supplemental brief on September 17, 2021. (Doc. 60).
4. On September 29, 2021, the Government moved to extend their deadline to file their brief to October 15, 2021 which this Court also granted. (Doc. 61 and subsequent minute order). The Government filed their supplemental brief on October 15, 2021. (Doc. 63).
5. As discussed at the August 3 hearing, this Court inquired whether Defendant would want to submit a reply to the Government's response; counsel for Mr. Knowlton affirmed and noted that a "[v]ery brief turnaround for a reply" was requested. VMH at 65. This Court, accordingly, set a deadline originally for September 24, 2021, seven days after the Government's original due date. *Id.*
6. Due to the extended deadlines for both Defendants and the Government to file their supplemental briefs, Defendants are requesting an extension of time to file their reply on Friday, October 22, 2021.
7. At a status conference held on July 28, 2021 prior to the hearing on Defendants' Motion to Dismiss, this Court scheduled a status conference in this case for October 22, 2021. Due to the pending, dispositive nature of the Defendants' Motion to

Dismiss, Defendants submit that it would be in the best interest of justice to continue the status conference to a later date.

8. Counsel for Mr. Knowlton has conferred with Counsel for the Government and the Government is not opposed to the extension of the deadline for the reply to their response or a continuance of the status conference.

WHEREFORE, PREMISES CONSIDERED, the Defendants respectfully request this Honorable Court extend the deadline for them to file their reply to the Government's Response to their Supplemental Brief in Support of their Motion to Dismiss to October 22, 2021 and continue the status conference scheduled for October 22, 2021 to a later date.

Date: October 15, 2021

Respectfully Submitted,

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ATTORNEY FOR THE DEFENDANT,
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of this motion was sent to Counsel for the Government, Elizabeth Kelley, James Peterson, and James Pearce, on October 15, 2021, via CM/ECF and email.

/s/ T. Brent Mayr
T. BRENT MAYR