

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

UNITED STATES OF AMERICA

v.

ETHAN NORDEAN, et. al.,

Defendants.

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Case Number 21-cr-175 (TJK)

**GOVERNMENT’S MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANTS’ MOTIONS TO DISMISS**

The United States of America, by and through its attorney the United States Attorney for the District of Columbia, hereby requests an extension of time in which to file its response to the motions to dismiss filed to date by the defendants. The government is seeking a modest extension—from September 2 to September 7, 2022, and it does not expect that the requested extension would affect the motions hearing presently scheduled for September 29, 2022. In support of its request, the government states as follows:

On July 6, 2022, the Court issued a scheduling order directing the defendants to file any motions to dismiss by August 19, 2022, with government responses due on September 2, 2022, replies due on September 12, 2022, and a hearing on September 29, 2022. ECF No. 426. On August 19, 2022, defendant Nordean filed a motion to dismiss, which defendants Rehl and Tarrio have sought to join. ECF Nos. 434-436. On that same date, defendant Rehl filed two additional motions to dismiss and a motion for an extension of the August 19 deadline to file additional motions. ECF Nos. 437-439. On August 24, 2022, defendant Rehl filed three additional motions to dismiss. ECF Nos. 440, 442, 443.

The government plans to file an omnibus response to all the motions to dismiss filed to date. In the government's view, an omnibus response is warranted because some of the claims overlap, and in any event an omnibus response, with a single factual and procedural history section, will promote judicial economy. Given that Rehl filed three substantive motions three business days after the deadline, the government seeks a commensurate extension to file its omnibus response, to September 7, 2022.¹ The government does not oppose a similar extension to the deadline for the defendants to file replies, to September 15, 2022. Such a modest extension would not prejudice any party, as it would still leave two weeks between the date replies are due and the September 29 motions hearing, thus allowing that hearing to go forth as currently scheduled.

¹ The government does not oppose Rehl's motion for an extension to file those motions, so long as the Court grants the relief requested in this motion.

Accordingly, the government requests that the Court sign the attached proposed order extending the deadline for responses to the defendants' motions to dismiss.

Respectfully submitted,
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