

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Case No. 5:10-cv-265-H

MICHAEL BATEMAN, VIRGIL GREEN,)
FORREST MINGES, JR., GRNC/FFE, INC.,)
and SECOND AMENDMENT)
FOUNDATION, INC.,)
)
Plaintiffs,)
)
v.)
)
BEVERLY PERDUE & REUBEN F.)
YOUNG,)
)
Defendants.)
)
_____)

**UNOPPOSED MOTION TO
EXTEND TIME**

Plaintiffs Michael Bateman, Virgil Green, Forrest Minges, Jr., GRNC/FFE, Inc. and Second Amendment Foundation, Inc. (“Plaintiffs”), through counsel and pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Local Rules 6.1 and 77.2, hereby move the Court to extend the time by which Plaintiffs must file a Motion for Costs and/or Attorney’s Fees Under Federal Rule of Civil Procedure 54 and Local Rule 54.1. In support of this Motion, Plaintiffs respectfully show the Court the Following:

1. On March 29, 2012, this Court entered an Order granting Plaintiffs’ Motion for Summary Judgment and a Judgment reflecting that conclusion.
2. The deadline for filing a Motion seeking costs and/or attorney’s fees is April 12, 2012. This deadline has not passed.
3. Plaintiffs’ require additional time to compile and prepare the records necessary to file a Motion seeking costs and/or attorney’s fees.

4. Plaintiffs' counsel has consulted with Defendants' counsel, who has consented to a sixty day extension of time in which to file a Motion seeking costs and/or attorney's fees, through and including June 11, 2012.
5. Plaintiffs further seek, and Defendants' counsel further consents to, an extension of the deadline for filing a motion seeking costs and/or attorney's fees to sixty days from the entry of the mandate if appellate review is sought in this matter.
6. Accordingly, Plaintiffs move the Court to extend the time in which they may file their Motion seeking costs and/or attorney's fees through and including June 11, 2012 or, alternatively, to sixty days from the entry of the mandate.

Respectfully submitted, this the 9th of April, 2012.

/s/ Wes J. Camden

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BEVERLY PERDUE, REUBEN F. YOUNG,)

Defendants.)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing CONSENT MOTION TO EXTEND TIME was served on the parties and counsel of record in this case by the CM/ECF system for the Eastern District of North Carolina, including:

Alexander McClure Peters
N.C. Department of Justice
P. O. Box 629
Raleigh, NC 27602-0629

This the 9th day of April, 2012

/s/ Wes J. Camden

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