

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF HAZLETON; THE
HAZLETON CITY COUNCIL; and JEFF
CUSAT, in his official capacity as Mayor
of the City of Hazleton,

Defendants.

CIVIL ACTION NO.
3:25-CV-00045-KM

**UNITED STATES' UNOPPOSED MOTION FOR ENLARGEMENT
OF TIME TO FILE OPPOSITION BRIEF**

Pursuant to Local Rule 7.1, the United States, by and through its undersigned counsel, hereby moves for a brief enlargement of the deadline to file the United States' brief in opposition to Defendants' motion to dismiss in the above-referenced matter and, in support thereof, states as follows:

1. On January 7, 2025, the United States filed a complaint against Defendants City of Hazleton, the Hazleton City Council, and Mayor Jeff Cusat, in his official capacity as mayor of the City of Hazleton ("Defendants"). ECF No. 1.
2. On March 10, 2025, Defendants filed a Motion to Dismiss. ECF No. 8.

3. On March 24, 2025, Defendants filed Defendants' Brief in Support of Motion to Dismiss. ECF No. 10.
4. Pursuant to Local Rule 7.6, United States' brief in opposition is due on April 7, 2025.
5. The United States respectfully requests that the deadline to file its opposition brief be extended fourteen (14) days, or until April 21, 2025, in light of current attorney workload.
6. In light of the new briefing schedule, the United States also respectfully requests that the oral argument scheduled on April 30, 2025, at 9:00am to hear Defendants' Motion to Dismiss be postponed to a date most convenient for this Court. ECF No. 9.
7. Counsel for Defendants does not oppose this Motion.
8. WHEREFORE, the United States respectfully requested an extension of time, until April 21, 2025, to file its brief in opposition.

Dated: April 1, 2025

Respectfully Submitted:

JOHN C. GURGANUS
Acting United States Attorney
Middle District of Pennsylvania

MAC WARNER
Deputy Assistant Attorney General
Civil Rights Division

/s/ Michael J. Butler

/s/ Bruce I. Gear

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CERTIFICATE OF SERVICE

I, Bruce I. Gear, hereby certify that a true and correct copy of the forgoing Unopposed Motion for Enlargement of Time was served upon the following counsel of record via the Court's ECF filing system on this 1st day of April, 2025.

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/s/ Bruce I. Gear
Bruce I. Gear

CERTIFICATE OF CONCURRENCE

I, Bruce I. Gear, hereby certify that I sought the concurrence of counsel for Defendant City of Hazleton et al., in this motion. Drew McLaughlin concurs in this motion.

/s/ Bruce I. Gear
Bruce I. Gear

Date: April 1, 2025

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[PROPOSED] ORDER

AND NOW, this ____ day of April 2025, upon consideration of United States' Unopposed Motion for Enlargement of Time to File Opposition Brief, IT IS Hereby ORDERED THAT the Motion is GRANTED. United States' Opposition Brief is hereby extended fourteen (14) days, or until April 21, 2025. The oral argument scheduled on April 30, 2025, to hear Defendants Motion to Dismiss will be postponed and rescheduled for a later date.

BY THE COURT:

KAROLINE MEHALCHICK
United States District Judge