

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

LUIS SEGOVIA, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	15-cv-10196
)	
BOARD OF ELECTION COMMISSIONERS FOR THE CITY OF CHICAGO, <i>et al.</i> ,)	Judge Joan B. Gottschall
)	
Defendants.)	
)	

**GOVERNMENT DEFENDANTS’ UNOPPOSED MOTION FOR
EXTENSION OF TIME TO RESPOND TO THE COMPLAINT**

The Government Defendants, the United States of America, Ashton Carter, in his official capacity as the Secretary of Defense, the Federal Voting Assistance Program, and Matt Boehmer, in his official capacity as Director of the Federal Voting Assistance Program (collectively the “Government Defendants”), hereby seek a thirty day extension of time, until February 10, 2015, to file their response to Plaintiffs’ Complaint, ECF No. 1. For the reasons stated below, the Government Defendants respectfully request that their extension motion be granted.

1. Plaintiffs filed their Complaint on November 10, 2015, alleging that the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301-20311 (“UOCAVA”), and the Illinois statute implementing its requirements, the Illinois Military and Overseas Voter Empowerment law, 10 Ill. Comp. Stat. 5/20-1 *et seq.* (“MOVE”), violate the Equal Protection Clause of the Fourteenth Amendment and the equal protection component of the Due Process Clause of the Fifth Amendment to the United States Constitution. Compl. ¶ 3. The Complaint alleges that under UOCAVA and MOVE, former Illinois residents are permitted to continue voting in Illinois by absentee ballot for President and for representation in the United States Senate and House of Representatives if they reside in the Northern Mariana Islands,

American Samoa, or in a foreign country, but are unable to do so if they reside in Guam, Puerto Rico, or the U.S. Virgin Islands.

2. The Plaintiffs effected service on November 12, 2015. Pursuant to Federal Rule of Civil Procedure 12(a)(2), the Government Defendants' response to the Plaintiffs' Complaint must be filed no later than January 11, 2015.

3. The Government Defendants seek the relief requested herein to permit them to adequately address the allegations asserted in Plaintiffs' Complaint. The Government Defendants anticipate filing a Motion to Dismiss in response to the Complaint. The Complaint asserts counts under the Fourteenth and Fifth Amendments to the United States Constitution, Compl. ¶¶ 52-54, and seeks equitable relief.

4. Preparing a response to the issues raised in the Complaint will require coordination among Government agencies. The proximity of the current deadline to Christmas and New Year's Day, both federal holidays, renders such coordination more difficult and permitting the Government Defendants the extension requested herein will allow time for the necessary coordination to occur and to be completed. In addition, undersigned counsel will be out of the office on pre-planned travel for two weeks over the holidays.

5. The Government Defendants have not sought any other extensions of time in the instant case. The Court has scheduled a status conference on January 15, 2015.

6. Undersigned counsel for the Government Defendants conferred with Plaintiffs' counsel and was advised that Plaintiffs consent to the Motion. The Government Defendants also conferred with the Illinois Defendants and was advised that the Illinois Defendants have no objection to the motion.

For the foregoing reasons, the Government Defendants respectfully request a thirty day extension of time for their response to the Plaintiffs' Complaint and ask that they be permitted to file their response by no later than February 10, 2015.

Dated: December 16, 2015

Respectfully submitted,

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