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Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

**BRANDON AUSTIN,**

Case No. 6:15-cv-02257-MC

Plaintiff,

**DEFENDANTS' UNOPPOSED MOTION TO  
EXTEND TIME TO RESPOND TO  
COMPLAINT**

v.

**UNIVERSITY OF OREGON; SANDY  
WEINTRAUB; CHICORA MARTIN;  
ROBIN HOLMES; and MICHAEL R.  
GOTTFREDSON,** all in their individual  
capacities only,

Defendants.

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**LR 7.1 CERTIFICATE**

The parties have conferred regarding this motion, and plaintiff's counsel does not oppose the extension requested herein.

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## MOTION

In accordance with Fed R Civ P 6(b), all defendants move for an order resetting the time to appear or otherwise respond to the complaint to January 25, 2016.

### MEMORANDUM IN SUPPORT

Plaintiff's complaint was filed in the Circuit Court for the State of Oregon for the County of Lane on November 4, 2015, and all defendants joined in removing the action to the United States District Court for the District of Oregon on December 2, 2015. Defendants' response, therefore, would normally be due on December 9, 2015. Defendants seek this extension of time to respond to the complaint due to defense counsel's pre-scheduled work obligations, travel schedule, and holiday absences. As noted above, counsel for plaintiff consents to the requested extension.

This is the first request for an extension made by defendants and this motion is not made for purposes of delay.

### CONCLUSION

Defendants respectfully request that this motion be granted.

DATED this 4th day of December, 2015.

MILLER NASH GRAHAM & DUNN LLP

/s/Michelle Barton Smigel

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*Attorneys for Defendants University of Oregon,  
Sandy Weintraub, Chicora Martin, Robin Holmes  
and Michael R. Gottfredson*

I hereby certify that I served the foregoing Defendants' Unopposed Motion to  
Extend Time to Respond to Complaint on:

Ms. Marianne Dugan  
259 East 5th Avenue, Suite 200-D  
Eugene, Oregon 97401  
Fax: (866) 650-5213  
E-mail: mdugan@mdugan.com

*Attorneys for Plaintiff Brandon Austin*

by the following indicated method or methods on the date set forth below:

- CM/ECF system transmission.**
- E-mail.** (Courtesy copy.)
- Facsimile communication device.**
- First-class mail, postage prepaid.**
- Hand-delivery.**
- Overnight courier, delivery prepaid.**

DATED this 4th day of December, 2015.

*/s/Michelle Barton Smigel*

Michelle Barton Smigel, OSB No. 045530

*Of Attorneys for Defendants University of  
Oregon, Sandy Weintraub, Chicora Martin,  
Robin Holmes, and Michael R. Gottfredson*