

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

MICHAEL J. FORBES,)	
)	
)	
Plaintiff,)	
)	
v.)	No. 24-1953C
)	Judge Hadji
THE UNITED STATES,)	
)	
Defendant.)	

**DEFENDANT’S MOTION FOR ENLARGEMENT OF TIME
TO FILE REPLY IN SUPPORT OF ITS MOTION FOR
JUDGEMENT ON THE ADMINISTRATIVE RECORD AND
RESPONSE TO CROSS MOTION AND RESPONSE TO MOTION TO SUPPLEMENT**

Pursuant to Rules 6(b) and 6.1 of the Rules of the United States Court of Federal Claims, defendant, the United States, respectfully requests a 16-day enlargement of time, to and including June 13, 2025, within which to file the Government’s reply in support of its motion for judgement on the administrative record and response to Mr. Forbes’s cross-motion, ECF No. 28. Our motion is currently due on May 28, 2025. We have not previously requested an enlargement of time for this purpose. In addition, we respectfully request a 9-day enlargement of time, to and including June 13, 2025, in which to file our response to Mr. Forbes’ motion to supplement the administrative record, ECF No. 27. Our response is currently due on June 4, 2025. We have not previously requested an enlargement of time for this purpose.

In granting this extension, the United States also respectfully requests that the Court amend the deadlines as follows:

Event	Current Deadline	Requested Deadline
Government files its Reply MJAR and response to plaintiff's cross-motion for judgement on the administrative record	May 28, 2025	June 13, 2025
Government files its response to plaintiff's motion to supplement	June 4, 2025	June 13, 2025
Plaintiff files his reply in support of cross-motion for judgement on the administrative record	June 4, 2025	July 7, 2025
Plaintiff files his reply to Government's response to motion to supplement	June 11, 2025	July 7, 2025

Pursuant to RCFC 7.3, defendant's counsel of record certifies that defendant attempted to confer in good faith with Mr. Forbes about this motion. Specifically, on May 23, 2025, attempted to confer with Mr. Forbes through email. Counsel of record was unable to get Mr. Forbes' position on this motion.

Good cause exists for this extension request, which is necessary to ensure that undersigned counsel has sufficient time to finalize its reply in support of its MJAR and response to Mr. Forbes' cross-MJAR for filing with the Court. The Government did not receive either Mr. Forbes' cross-MJAR or motion to supplement the administrative record until mid-day yesterday, May 22, 2025. *See* ECF No. 27 (noting service on May 22, 2025); *see also* ECF No. 28 (same). Pursuant to the Court's order granting Mr. Forbes's motion for an enlargement of time to file his response and cross-MJAR, ECF No. 26, the Government's reply MJAR is currently due May 28, 2025. Because the Government did not receive Mr. Forbes' motion until mid-day on May 22, 2025, the Government only has 3 full business days to respond to Mr. Forbes' MJAR. This is

insufficient for counsel of record to finalize the Government's reply MJAR, in accordance with mandatory supervisory review. In addition, Mr. Forbes' cross-MJAR raises a number of new allegations, which the Government requires time to investigate. Finally, counsel of record will be out of the country on a personal matter from May 28, 2025, until June 8, 2025, and will not be able to work on this matter during this time.

Additionally, good cause exists for granting this extension request regarding extending the Government's time to file a response to the motion to supplement. Because counsel of record will be out of the country from May 28, 2025, until June 8, 2025, the requested extension is necessary to ensure counsel of record has sufficient time to review the documents Mr. Forbes seeks to supplement into the administrative record. Further, in the interests of judicial economy, we respectfully request that the proposed motion to supplement briefing schedule mirror the proposed MJAR briefing schedule.

For these reasons, we respectfully request that the Court grant our motion for an enlargement of time of 16 days for the Government to file its reply MJAR, to and including June 13, 2025, and an enlargement of time for 9 days for the Government to file its response to the motion to supplement, to and including June 13, 2025.

Respectfully submitted,

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May 23, 2025

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