

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

LOCAL INITIATIVE HEALTH	)	
AUTHORITY FOR	)	
LOS ANGELES COUNTY,	)	
	)	No. 17-1542
Plaintiff,	)	(Judge Thomas C. Wheeler)
	)	
v.	)	
	)	
THE UNITED STATES,	)	
	)	
Defendant.	)	

DEFENDANT’S MOTION FOR ENLARGEMENT

Pursuant to Rule 6(b) of the Rules of the United States Court of Federal Claims, defendant, the United States, respectfully requests a 21-day enlargement of time to and including Friday, October 29, 2019 within which to respond to the plaintiff’s Motion for Entry of Rule 54(b) Judgment (ECF No. 40), which was filed eight days ago on September 24.<sup>1</sup> Our response is currently due on October 8. Plaintiff’s counsel has indicated that it opposes this enlargement.

Good cause exists to grant the requested extension. Counsel of record is currently occupied with commitments in numerous other matters that have prevented him from devoting the necessary time to preparing a response, and will require the 21-day extension requested above. Undersigned counsel is preparing a brief that is currently due on October 8 (the same day the response to plaintiff’s motion for entry of Rule 54(b) judgment is due) in the Federal Circuit in *U.S. Army Corps of Engineers v. John C. Grimberg Co, Inc.*, Fed. Cir. No. 2019-1608.

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<sup>1</sup> On September 6, 2019, the Court held a hearing regarding the parties’ joint status report and the issue of a whether a Rule 54(b) judgment was proper. The Court indicated that it would not decide the issue based upon a status report, and suggested to the plaintiff that it file a separate motion. The Court did not order that any such motion be filed by a particular deadline, and the plaintiff ultimately filed its motion 18 days later.

In addition, undersigned counsel is preparing for oral argument in the Federal Circuit on November 5 in *Timothy Skarada v. Dept. of Veterans Affairs*, Federal Circuit case no. 2019-1233. Although argument in that case is not until the Federal Circuit's November argument week, the case was recently transferred to undersigned counsel because previous Department of Justice counsel left the Civil Division, and it will take significant additional preparation time to come up to speed with both the facts and legal issues in time for argument.

In addition, undersigned counsel was recently assigned two fast-track bid protests before this Court in *Navistar Defense, LLC v. United States*, Fed. Cl. case nos. 19-1268 and 19-1417. These protests have required extensive time-sensitive work since they were filed, and the parties are in the midst of both merits briefing and briefing regarding plaintiff's motion to compel supplementation of the administrative record (the Government's response to which is due tomorrow). Moreover, counsel has been conducting extensive discovery in two other litigations before the trial court, including the preparation of expert reports, during the last month, in *U.S. Enrichment Corp. v. United States* (Fed. Cl. no. 15-68C) and *EFC Services v. United States* (Fed. Cl. no 17-223).

We thus respectfully request that the Court enlarge by 21 days the time in which the Government has to respond to plaintiff's motion for entry of judgment.

Respectfully submitted,

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