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## UNITED STATES DISTRICT COURT

## DISTRICT OF OREGON

DIANE ROARK, Case No.: 6:12-CV-01354-MC

Plaintiff,

v. UNOPPOSED MOTION FOR

EXTENSION OF TIME TO FILE

DEFENDANT'S PROPOSED PLAN

UNITED STATES OF AMERICA, FOR RETURN OF

**ELECTRONICALLY STORED** 

Defendant. INFORMATION

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Roark v. United States, 6:12-CV-01354-MC

The United States of America, by Billy J. Williams, Acting United States Attorney for the District of Oregon, and through James E. Cox, Jr., Assistant United States Attorney for the District of Oregon, submits this unopposed motion for extension of time to file a proposed plan for the review and return of electronically stored information ("ESI"). Pursuant to Local Rule 7-1, the undersigned has conferred with Plaintiff regarding this motion, and Plaintiff does not oppose the motion.

On May 4, 2015, this Court issued an order instructing "the parties [to] confer regarding the automated search of Roark's hard drive. If the parties are unable to come to an agreement, the government shall submit to the Court a plan for the examination of Roark's computer no later than May 29, 2015." (Dkt. # 110.) The government has submitted a proposed plan to Plaintiff for the review and return of ESI. However, Plaintiff has been out of town for scheduled travel most of the month of May, which has interfered with the ability of the parties to confer regarding the issue. The government is prepared to submit a proposed plan to the Court under the current schedule, however, the parties believe that it may be beneficial to allow additional time for the parties to confer over the issue. Plaintiff will be back from her travel in early June, and the parties believe that a two week extension of time would be sufficient for the parties to confer on the matter.

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For the foregoing reasons, Defendant respectfully requests that the Court extend the time for Defendant to file a proposed plan for the review and return of electronically stored information ("ESI") to June 12, 2015.

DATED this 29th day of May 2015.

Respectfully submitted,

BILLY J. WILLIAMS
Acting United States Attorney
District of Oregon

/s/ James E. Cox, Jr.
JAMES E. COX, JR.
Assistant United States Attorney
Attorneys for Defendant

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Unopposed Motion for Extension of Time to File a Proposed Plan for the Review and Return of Electronically Stored Information** was placed in a postage prepaid envelope and deposited in the United States Mail at Portland, Oregon, on May 29, 2015, addressed to:

Diane Roark 2000 N. Scenic View Dr. Stayton, OR 97383

And was sent via email to the following email address: gardenofeden@wvi.com

<u>/s/ Shari McClellan</u> Shari McClellan