

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

GENBIOPRO, INC.,

Plaintiff,

v.

Case No. 23-cv-1057-TDC

**U.S. FOOD AND DRUG
ADMINISTRATION, et al.,**

Defendants.

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

Defendants respectfully request that the Court extend their time to respond to the complaint by 30 days, to July 26, 2023. Defendants' counsel has conferred with Plaintiff's counsel pursuant to Local Civil Rule 105.9, and Plaintiff consents to this request.

Good cause supports this motion:

1. On April 19, 2023, Plaintiff filed its complaint for declaratory and injunctive relief. *See* ECF No. 1.
2. Plaintiff served the United States Attorney for the District of Maryland on April 26, 2023.
3. Federal government defendants have 60 days from service on the United States Attorney to respond to a complaint. Fed. R. Civ. P. 12(a)(2). Accordingly, Defendants' response to the complaint in this matter is due no later than June 26, 2023. *See* Fed. R. Civ. P. 6(a)(1)(C).
4. Defendants' counsel has reviewed Plaintiff's claims, conferred with Defendants regarding those claims, and begun preparing a response. However, the press of other matters,

including a motion to dismiss due June 23 and briefing in several other cases due in early July, has impeded counsel's ability to complete a response by the current due date of June 26.

5. Consistent with Local Civil Rule 105.9, Defendants' counsel has conferred with Plaintiff's counsel regarding this motion, and Plaintiff consents to extending Defendants' response deadline.

6. Accordingly, Defendants respectfully request that the Court extend their time to respond to the complaint by 30 days, from June 26, 2023 to July 26, 2023.

A proposed order is attached.

Dated: June 22, 2023

Respectfully submitted,

BRIAN M. BOYNTON
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Assistant Branch Director
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Counsel for Defendants

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[PROPOSED] ORDER

Upon consideration of Defendants' Unopposed Motion for Extension of Time to Respond to the Complaint, it is hereby

ORDERED that the Motion is GRANTED, and it is FURTHER ORDERED that Defendants' time to respond to the complaint is extended to July 26, 2023.

SO ORDERED this __ day of June 2023.

Theodore D. Chuang
United States District Judge