

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

JOSHUA J. ANGEL,)	
)	
Plaintiff,)	No. 20-737C
)	(Chief Judge Sweeney)
v.)	
)	
THE UNITED STATES,)	
)	
Defendant.)	

DEFENDANT’S UNOPPOSED MOTION FOR AN ENLARGEMENT OF TIME

Pursuant to Rules 6(b), 6.1, and 7 of the Rules of the United States Court of Federal Claims (RCFC), defendant, the United States, respectfully requests a 29-day enlargement of time, to and including October 30, 2020, within which to file a response to the motion (ECF No. 10) filed by *pro se* plaintiff, Joshua J. Angel, requesting that the Court suspend briefing on the Government’s motion to dismiss and permit Mr. Angel to conduct discovery.¹ The current deadline for the Government’s response is October 1, 2020. On September 25, 2020, Mr. Angel advised counsel for the United States that Mr. Angel does not oppose this request for an enlargement of time. Mr. Angel also requested that his reply be due on November 30, 2020. We do not object to his requested reply deadline.

Good cause exists to grant the requested relief. First, the Government requires additional time to prepare a meaningful response to Mr. Angel’s motion. Mr. Angel’s motion raises several arguments regarding the propriety of “jurisdictional and other discovery.” Pl. Mot. at 1; *see also id.* at 19-25. The requested extension is needed to provide adequate time to review and address

¹ On September 18, 2020, the Court, *sua sponte*, suspended briefing on the Government’s motion to dismiss pending resolution of Mr. Angel’s motion for discovery.

each argument raised, to obtain input from the relevant agencies, and to obtain supervisory review within the Department of Justice.

Second, counsel of record is defending the United States in several suits filed by Federal employees seeking payment of hazardous duty pay and environmental differential pay for alleged exposure to COVID-19. Our responses are due in three of those suits on October 8: *Adams v. United States*, No. 20-783C (Fed. Cl.); *Babcock v. United States*, No. 20-841C (Fed. Cl.); *Adams v. United States*, No. 20-909C (Fed. Cl.). Our response is due in a fourth suit, *FBI Plaintiff No. 1 v. United States*, No. 20-640C (Fed. Cl.), on October 22. And our response is due in a fifth suit, *Braswell v. United States*, No. 20-359C (Fed. Cl.), on November 6. During the 30-day extension period, counsel will be preparing these responses, which requires, among other things, coordination with 18 different agencies.

Third, in addition to the matters, addressed above, that will impact the time that counsel of record can devote to the preparation of the Government's response, another attorney assigned to preparation of the response, Reta Bezak, has been and/or will be similarly affected by her obligations in other cases in a manner that further justifies the extension of time sought. These matters include: (1) coordination and filing of an administrative record in *Amazon Web Services, Inc. v. United States*, No. 19-1796C (Fed. Cl.) (filed on September 21, 2020); (2) preparation and filing of a supplemental brief in a contract case, *Housing Authority of the City of Slidell v. United States*, No. 19-1853C (Fed. Cl.) (filed on September 24, 2020), and satisfying discovery obligations in that case; (3) preparing a response brief in *Tadlock v. Wilkie*, No. 20-1762 (Fed. Cir.) (currently due on October 14, 2020); and (4) preparing a cross-motion for judgment on the administrative record in a bid protest, *Progress for Bakersfield Veterans LLC v. United States*, No. 20-1050C (Fed. Cl.) (currently due on October 19, 2020). Consequently, given the need for

further coordination both internally and with the relevant agencies, and the press of business in other cases before this Court and the Federal Circuit, good cause exists for the requested enlargement.

For these reasons, we request that the Court grant this unopposed motion for a 29-day enlargement of time for the United States to file its response to Mr. Angel's motion for jurisdictional discovery.

Respectfully submitted,

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General

s/ Robert E. Kirschman, Jr.
ROBERT E. KIRSCHMAN, JR.
Director

ELIZABETH M. HOSFORD
FRANKLIN E. WHITE, JR.
Assistant Directors

MARIANA T. ACEVEDO
RETA E. BEZAK
Trial Attorneys

s/ Eric E. Laufgraben
ERIC E. LAUFGRABEN
Senior Trial Counsel
Commercial Litigation Branch
Civil Division
U.S. Department of Justice
P.O. Box 480
Ben Franklin Station
Washington, DC 20044
Telephone: (202) 353-7995
Facsimile: (202) 353-0461
Email: Eric.E.Laufgraben@usdoj.gov

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Attorneys for Defendant