UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BLOCK & LEVITON LLP, Plaintiff, v. FEDERAL TRADE COMMISSION, Defendant.	C.A. No. 19-cv-12539

PLAINTIFF'S MOTION TO SET 30-DAY DEADLINE FOR DEFENDANT'S RESPONSE TO COMPLAINT IN ACCORDANCE WITH FOIA, 5 U.S.C. § 552(A)(4)(C)

Plaintiff, Block & Leviton LLP ("Plaintiff"), respectfully moves to set a thirty-day deadline for Defendant Federal Trade Commission ("Defendant") to respond to Plaintiff's complaint. In support of this motion, Plaintiff states as follows:

1. On December 18, 2019, Plaintiff filed a complaint in this Court under the Freedom of Information Act ("FOIA").[1]

2. Under the Federal Rules of Civil Procedure, United States agencies ordinarily have sixty days to answer a complaint.[2]

3. However, FOIA sets the deadline for all defendants—without exception—at thirty days.[3]

[1] 5 U.S.C. § 552.

[2] Fed. R. Civ. P. 12(a)(2).

[3] 5 U.S.C. § 552(a)(4)(C); *American Civil Liberties Union Of Maine Foundation v. U.S. Dep't of Homeland Sec.*, 2:18-cv-00176-JDL, ECF No. 7 (D. Me. May 22, 2018) (resetting answer deadline from 60 days to 30 days pursuant to 5 U.S.C. § 552(a)(4)(C)).

4. No "good cause" has been shown under FOIA for the Court to alter the thirty-day deadline.[4]

THEREFORE, Plaintiff requests that the Court grant this motion setting a thirty-day deadline for Defendant's response to the complaint.

January 10, 2020

Respectfully Submitted,

/s/ Lauren Godles Milgroom

Jason M. Leviton (BBO # 678331)
Joel Fleming (BBO# 685285)
Lauren Godles Milgroom (BBO# 698743)
Block & Leviton LLP
260 Franklin St., Suite 1860
Boston, MA 02110
(617) 398-5600
jason@blockesq.com
joel@blockesq.com
lauren@blockesq.com

Attorneys for Plaintiff
Block & Leviton LLP

[4] 5 U.S.C. § 552(a)(4)(C).

CERTIFICATE OF SERVICE

I, Lauren Godles Milgroom, hereby certify under penalty of perjury that on the 10th day of January 10, 2020, I served the foregoing document via the United States Postal Service on the following:

Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Attorney General of the United States of America
William P. Barr
950 Pennsylvania Avenue, NW
Washington, DC 20530

United States Attorney for the District of Massachusetts
Andrew E. Lelling
John Joseph Moakley United States Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210

Date: January 10, 2020

BLOCK & LEVITON LLP

/s/ Lauren Godles Milgroom
Lauren Godles Milgroom (BBO# 698743)
260 Franklin St., Suite 1860
Boston, MA 02110
(617) 398-5600
lauren@blockesq.com

Attorney for Plaintiff
Block & Leviton LLP