

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION

MICHAEL MOORE; et al.,)	
)	
Plaintiffs,)	
)	
-against-)	No. 11 C 3134
)	
LISA MADIGAN; et al.,)	
)	
Defendants.)	

**AGREED MOTION TO EXTEND TIME
FOR FILING REQUEST FOR ATTORNEYS FEES**

NOW COME the Plaintiffs, who submit this agreed motion to extend the time for filing a request for attorneys fees by an additional 60 days. In support, Plaintiffs state as follows:

1. The Court of Appeals for the Seventh Circuit reversed this Court’s previous Order and Judgment (Doc. Nos. 38-39) on December 11, 2012. See Moore v. Madigan, 702 F.3d 933 (7th Cir. 2012). The Seventh Circuit stayed its mandate for 180 days (later extended by an additional 30 days) “to allow the Illinois legislature to craft a new gun law that will impose reasonable limitations, consistent with the public safety and the Second Amendment as interpreted in this opinion, on the carrying of guns in public.” Id. at 942.

2. The Seventh Circuit issued its mandate yesterday, on July 9, 2013 (Doc. No. 50). Also yesterday, the Illinois legislature overrode Governor Quinn’s amendatory veto of HB 183, which provides a system for licensing the carry of handguns. As a result, HB 183 is now law.

3. Defendants have moved to dismiss on the ground that the enactment of HB 183 renders this case moot (Doc. No. 51). Today, the Court directed Plaintiffs to respond to Defendants’ motion by July 15, 2013 (Doc. Text Order Jul. 10, 2013).

4. Plaintiffs' request for attorneys fees under 42 U.S.C. § 1988, which is part of the relief originally sought in the Amended Complaint, is still pending, and is thus intertwined with the mootness question that Defendants have raised. See generally NRA of Am., Inc. v. Chicago, 646 F.3d 992, 993-94 (7th Cir. 2012) (plaintiffs were prevailing parties because Supreme Court reversed in their favor, even though municipalities enacted corrective legislation before district court could enter injunction, and district court should have awarded attorneys fees).

5. CDIL-LR 54.1(A) requires Plaintiffs to file their request for attorneys fees "no later than 14 days after entry of judgment."

6. Plaintiffs' counsel must devote a considerable amount of time, and must confer with each other at length, to prepare a motion for attorneys fees under 42 U.S.C. § 1988. However, two of Plaintiffs' counsel are scheduled to travel in the immediate future, and this interferes with their ability to prepare the motion. Specifically, Alan Gura is overseas for the coming two weeks, and David Sigale is scheduled to travel during the first week of August.

7. Finally, both parties have expressed an interest in attempting to settle Plaintiffs' claim for attorney's fees without the necessity of Plaintiffs filing a motion with the Court. However, counsel for the Attorney General's office (Terry Corrigan) has a previously scheduled vacation next week. This, combined with the travel commitments of Plaintiffs' counsel, impacts their ability to conduct negotiations in the immediate future. Finally, the Court's decision on Defendants' motion to dismiss would likely facilitate these negotiations.

8. The Attorney General's Office (by its counsel Terry Corrigan) has consented to this request to extend the date for filing a request for attorneys fees by an additional 60 days.

NOW THEREFORE, Plaintiffs respectfully request that the Court extend the time for filing a request for attorney's fees by an additional 60 days.

Dated: July 10, 2013

By:  _____

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2013, I presented the foregoing Agreed Motion to Extend Time for Filing Request for Attorneys Fees to the Clerk of the Court for filing and uploading to the CM/ECF system, which will send notification of such filing to the following:

Terence Corrigan [tcorrigan@atg.state.il.us]
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I affirm all of the foregoing statements under penalty of perjury under the laws of the United States of America.

Dated: July 10, 2013

/s/ David D. Jensen
David D. Jensen