

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

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Planned Parenthood of Northern New  
England, Concord Feminist Health Center,  
Feminist Health Center of Portsmouth,  
and Wayne Goldner, M.D.

Plaintiffs-Appellees,

v.

Kelly Ayotte, Attorney General of New  
Hampshire, in her official capacity,

Defendant-Appellant.

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Civil No. 03-491-JD

**ASSENTED-TO MOTION TO EXTEND TIME**

NOW COMES Defendant, by and through counsel, the Office of the Attorney General, and hereby moves, with assent of opposing counsel, for an extension of time to January 1, 2007 to respond to Plaintiffs' filings in response to Defendant's Partial Motion for Summary Judgment, on the following grounds:

1. On July 12, 2006, Defendant filed a partial motion for summary judgment.
2. After a Status Conference held on July 13, 2006, the Court set the following deadlines by agreement of counsel: Plaintiffs would file their response to Defendant's partial motion for summary judgment and a cross-motion for summary judgment by October 1, 2006; Defendant would respond by November 15, 2006. See Procedural Order dated July 13, 2006.

3. Because Plaintiffs' timely filed pleadings raise a number of new arguments and Defendant has recently added new counsel to this matter, Defendant requires additional time to respond to Plaintiffs' pleadings.

4. Defendant's counsel contacted Plaintiffs' counsel for assent to an extension and, based upon that discussion, the parties agreed that an extension to January 1, 2007 would accommodate both sides.

5. Granting this motion would not result in the continuance of any hearing, conference, or trial.

WHEREFORE, for the reasons stated herein, Defendant respectfully requests that the Court:

- A. Grant this Assented-To Motion to Extend Time by extending Defendant's deadline to respond to Plaintiffs' objection and cross-motion for summary judgment to January 1, 2007.
- B. Grant such other and further relief as is just and necessary.

Respectfully submitted,

KELLY A. AYOTTE  
Attorney General, State of New  
Hampshire

By and through her counsel,

October 24, 2006

\s\ Maureen D. Smith (# 4857)  
Senior Assistant Attorney General  
Laura E. B. Lombardi (# 12821)  
Assistant Attorney General  
N.H. Department of Justice  
33 Capitol Street  
Concord, NH 03301  
603-271-3650

**Certificate of Service**

October 24, 2006

I hereby certify that a copy of the foregoing was served this date, via the ECF system on Dara Klassel, Esq., counsel for Planned Parenthood Federation of America; Martin P. Honigberg, Esq., counsel for Planned Parenthood of Northern New England; Lawrence A. Vogelman, counsel for Concord Feminist Health Center, Feminist Health Center of Portsmouth, and Wayne Goldner, M.D.

\s\ Laura E. B. Lombardi  
Laura E. B. Lombardi (# 12821)