

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA

**David Geier And Mark Geier**

14 Redgate Court  
Silver Spring, MD 20905

*Plaintiffs,*

vs.

**Department of Health and Human  
Services**

200 Independence Avenue, SW  
Washington, DC 20201

**Dr. Sarah K. Parker and  
Dr. James Todd**

Childrens' Hospital  
Department of Pediatrics  
1056 East 19th Avenue  
Denver, CO 80218

**Dr. Benjamin Schwartz and  
Dr. Larry Pickering**

c/o  
National Vaccine Program Office  
HHS  
200 Independence Ave., SW  
Room 725  
Washington, DC 20201

And

**The American Academy of  
Pediatrics**

601 13<sup>th</sup> Street, NW  
Suite 400 - North  
Washington, DC 20005

*Defendants.*

Plaintiffs' Consent Motion to  
Extend Until January 12, 2006  
The Filing of Plaintiffs'  
Opposition to American Academy  
of Pediatrics Motion to  
Dismiss/Motion for Summary  
Judgment

and

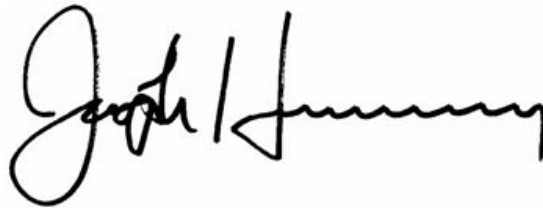
Plaintiffs' Consent to American  
Academy of Pediatrics Filing Its  
Reply to Plaintiffs' Opposition  
on February 10, 2006.

Case No. 1:05CV01749

Judge Thomas F. Hogan

With the consent of Defendant American Academy of  
Pediatrics ("AAP"), Plaintiffs' hereby move that the Court grant  
an extension until January 12, 2006 for Plaintiffs to file an

Opposition to the Motion to Dismiss/Motion for Summary Judgment filed by The American Academy of Pediatrics ("AAP"). In consideration of the holiday season, and in consideration of the travel schedule of Defendant AAP's counsel Jay Brown, Plaintiffs consent to AAP filing its Reply to Plaintiffs' Opposition to AAP's Motion to Dismiss/Motion for Summary Judgment on February 10, 2006. Respectfully submitted this Wednesday, December 07, 2005.



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James A. Moody, Esq.  
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*Lead Attorney*

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I, Joseph Hennessey certify that on Wednesday, December 07, 2005, a copy of Plaintiffs' Consent Motion to Extend Until January 12, 2006 Plaintiffs' Opposition to American Academy of Pediatrics Motion to Dismiss/Motion for Summary Judgment, and Plaintiffs' Consent to American Academy of Pediatrics Filing Its Reply to Plaintiffs' Opposition on February 10, 2006 was served by via the Electronic Filing System of the United States District Court for the District of Columbia on the below listed parties:

**Jay Ward Brown, Esq.**  
**Adam J. Rappaport, Esq.**  
Levine Sullivan Koch &  
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**Alan Burch, Esq.**  
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Washington, DC 2-530

**Erica H. Perkins, Esq.**  
**Edward J. Longosz, Esq.**  
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**Patrick T. O'Rourke, Esq.**  
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And

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601 13<sup>th</sup> Street, NW  
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*Defendants.*

**Statement of Points and  
Authorities in Support of**  
Plaintiffs' Consent Motion to  
Extend Until January 12, 2006  
The Filing of Plaintiffs'  
Opposition to American Academy  
of Pediatrics Motion to  
Dismiss/Motion for Summary  
Judgment

and

Plaintiffs' Consent to American  
Academy of Pediatrics Filing Its  
Reply to Plaintiffs' Opposition  
on February 10, 2006.

Case No. 1:05CV01749

Judge Thomas F. Hogan

Pursuant to Local Rule 7(a), Plaintiffs provide the  
following Statement of Points and Authorities in Support of

Plaintiffs' Consent Motion to Extend Until January 12, 2006 the Filing of Plaintiffs' Opposition to American Academy of Pediatrics Motion to Dismiss/Motion for Summary Judgment, and Plaintiffs' Consent to American Academy of Pediatrics Filing Its Reply to Plaintiffs' Opposition on February 10, 2006.

- Plaintiffs' Counsel James A. Moody is currently in a trial in the State of California.
- Plaintiffs' Counsel Joseph Hennessey is recovering from a broken fibula which incapacitated him for a period of four weeks.
- Plaintiffs' counsel have requested and obtained extensions to file oppositions to motions to dismiss filed by Defendants Parker, Todd, Schwartz, and Pickering.
- Plaintiffs' counsel is currently engaged in responding to the Motions to Dismiss filed by Parker, Todd, Schwartz, Pickering, and the Department of Health and Human Services.
- Due to the trial schedule of Mr. Moody and the injury to Mr. Hennessey, it has been difficult for Plaintiffs counsel to confer with respect to filing an Opposition to AAP's Motion to Dismiss/Motion for Summary Judgment.
- Counsel for Defendant AAP will be traveling out the country and requested until February 10, 2006 to file AAP's Reply to Plaintiff's Opposition brief.

- Plaintiffs have agreed that AAP should have until February 10, 2006 to file Their Reply to Plaintiffs' Opposition to AAP's Motion to Dismiss/Motion for Summary Judgment.

Respectfully submitted this Wednesday, December 07, 2005.



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*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT FOR  
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**DAVID GEIER AND MARK GEIER**

*Plaintiffs,*

vs.

**Department of Health and Human  
Services, et al.**

*Defendants.*

Case No. 1:05CV01749

**ORDER**

Plaintiffs having filed a consent motion to extend until January 12, 2006 for Plaintiffs to file their Opposition to The American Academy of Pediatric's Motion to Dismiss/Motion for Summary Judgment; and Plaintiffs having consented to The American Academy of Pediatric's filing its Reply to Plaintiffs' Opposition on February 10, 2006; and the Court finding good cause shown, the Court hereby

**ORDERS** that Plaintiffs' Opposition to The American Academy of Pediatric's Motion to Dismiss/Motion for Summary Judgment shall be filed on or before January 12, 2006, and The American Academy of Pediatric's Reply to Plaintiffs Opposition shall be filed on or before February 10, 2006. Done this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Judge, United States District Court