

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DICK ANTHONY HELLER, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 1:08-cv-01289 (JEB)
)	
THE DISTRICT OF COLUMBIA, <i>et al.</i> ,)	
)	
Defendants.)	

**MEMORANDUM IN SUPPORT OF PLAINTIFFS’ CONSENT MOTION TO
EXCEED PAGE LIMITS SPECIFIED BY LOCAL RULE**

In Support of their Consent Motion to Exceed Page Limits Specified by Local Rule, Plaintiffs Dick Anthony Heller, Absalom Jordan, William Carter, William Scott, and Asar Mustafa, by counsel, hereby state the following:

1. By minute order dated October 31, 2013, the Court established a briefing schedule for summary judgment motions in this case. Defendants filed their Motion for Summary Judgment and accompanying documents on November 5, 2013, in accordance with the schedule.

2. Plaintiffs’ Motion for Summary Judgment, their Statement of Points and Authorities in Support thereof, and Plaintiffs’ Opposition to Defendants’ Motion for Summary Judgment is due on December 10, 2013.

3. As Plaintiffs read LCvR 7(e), Plaintiffs’ Statement of Points and Authorities, and Plaintiffs’ Opposition to Defendants’ Motion, would be limited to 45 pages in total.

4. This case is an important one, involving constitutional challenges to most

of the District's firearms registration laws. Extensive discovery has taken place, including Interrogatories and answers thereto from both sides, production of thousands of pages of documents, and depositions of fact witnesses and expert witnesses.

5. In connection with their Motion for Summary Judgment, the District has submitted approximately 440 pages of Declarations, legislative history, discovery excerpts, and other documentation, not counting their Statement of Points and Authorities itself and other legal filings.

6. This case involves complex and novel issues of constitutional law under the Second Amendment, as well as a great deal of factual evidence.

7. The D.C. Circuit remanded this case to the District Court "for further evidentiary proceedings" regarding "the novel registration requirements [for handguns], and all registration requirements as applied to long guns...." *Heller v. District of Columbia*, 670 F.3d 1244, 1260 (D.C. Cir. 2011).

8. In order to fully comply with the D.C. Circuit's direction, and in order to adequately present their case (both affirmatively for summary judgment, and in opposition to Defendants' Motion for Summary Judgment), Plaintiffs will require more than the 45 pages which is the ordinary limit for motions practice under LCvR 7(e).

9. Accordingly, Plaintiffs request that the Court grant leave to file Plaintiffs' Statement of Points and Authorities in Support of Plaintiffs' Motion for Summary Judgment, and in Opposition to Defendants' Motion for Summary Judgment, in excess of the LCvR 7(e) page limit, but not to exceed 65 pages.

10. Counsel for Defendants have indicated that they consent to this motion.

11. A proposed order is attached.

Respectfully submitted,

Dick Anthony Heller
Absalom F. Jordan, Jr.
William Carter
William Scott
Asar Mustafa

By Counsel

/s/ Stephen P. Halbrook
STEPHEN P. HALBROOK
D.C. Bar No. 379799
3925 Chain Bridge Road, Suite 403
Fairfax, VA 22030
Telephone: (703) 352-7276
Facsimile: (703) 359-0938
Email: PROTELL@aol.com

/s/ Dan M. Peterson
DAN M. PETERSON
D.C. Bar No. 418360
Dan M. Peterson, PLLC
3925 Chain Bridge Road, Suite 403
Fairfax, VA 22030
Telephone: (703) 352-7276
Facsimile: (703) 359-0938
Email: dan@danpetersonlaw.com

Counsel for Plaintiffs