



NELSON P. COHEN
United States Attorney

DANIEL R. COOPER, JR.
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

GORDON WARREN EPPERLY,

Plaintiff,

vs.

ALLEN WEINSTEIN,

Defendant,

) Case No. 1:07-cv-00011-JWS

)

) **DECLARATION OF DANIEL R.**

) **COOPER, JR. IN SUPPORT OF**

) **NON-OPPOSED MOTION FOR**

) **EXTENSION OF TIME IN**

) **WHICH TO FILE ANSWER OR**

) **OTHER RESPONSIVE**

) **PLEADING**

)

)

I, **Daniel R. Cooper, Jr.**, declare under penalty of perjury that the following is true:

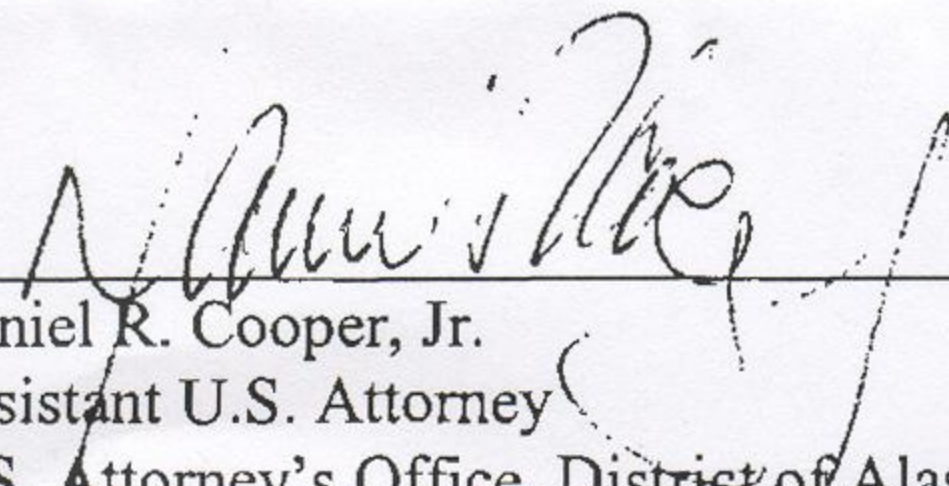
1. I am an Assistant U.S. Attorney in the District of Alaska, and have primary responsibility for the captioned case.
2. On Monday, August 6, 2007, I spoke with Mr. Epperly on the telephone to ask if he would oppose a motion for extension of time for the defendant to file an answer or other responsive pleading.

3. Mr. Epperly stated that he would not oppose the request for an extension of time if I would bring to the court's attention a letter he received from the Department of Justice dated July 13, 2007.

4. I requested that Mr. Epperly provide me with a copy of the letter, which he did. The letter is attached to this Affidavit as Exhibit A.

5. I confirmed via e-mail with Mr. Epperly that he does not oppose this request for an extension of time.

6. I also confirmed in the e-mail exchange that when Mr. Epperly received Exhibit A, it was accompanied by the pleadings he had served on the Department of Justice.

Date: 8/9/07 
Daniel R. Cooper, Jr.
Assistant U.S. Attorney
U.S. Attorney's Office, District of Alaska

Declarations have the same legal force as affidavits. 28 U.S.C. § 1746

CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2007, a copy of the foregoing, **DECLARATION OF DANIEL R. COOPER, JR. IN SUPPORT OF NON-OPPOSED MOTION FOR EXTENSION OF TIME IN WHICH TO FILE ANSWER OR OTHER RESPONSIVE PLEADING** was served via mail on:

Gordon Warren Epperly
P.O. Box 34358
Juneau, AK 99803-4358

s/ Daniel R. Cooper, Jr.

NELSON P. COHEN
United States Attorney

DANIEL R. COOPER, JR.
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) **EXTENSION OF TIME IN WHICH**
) **TO FILE ANSWER OR OTHER**
) **RESPONSIVE PLEADING**
)
)
)
)

The Defendant, by and through his counsel, moves the court for an extension of time of thirty (30) in which to file his answer or other responsive pleading. As set forth in the attached affidavit of counsel, Mr. Epperly has been contacted, and he does not oppose the proposed extension, provided that counsel for the defendant advises the court that Mr. Epperly received the letter attached as Exhibit A to the affidavit of counsel.

The extension is sought because the defendant's counsel is attempting to collect

the case files of Mr. Epperly's previous cases concerning this same topic. The request for an extension is not made for purposes of harassment or undue delay.

RESPECTFULLY SUBMITTED this 9th day of August, 2007, in

Anchorage, Alaska.

NELSON P. COHEN
United States Attorney

s/ Daniel R. Cooper, Jr.
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AK #8211109

CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2007,
a copy of the foregoing **NON-OPPOSED
MOTION FOR EXTENSION OF TIME
IN WHICH TO FILE ANSWER OR
OTHER RESPONSIVE PLEADING**
was served via mail on:

Gordon Warren Epperly
P.O. Box 34358
Juneau, AK 99803-4358

s/ Daniel R. Cooper, Jr.