

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TABATHA BARNES, <i>et al.</i> ,)	
)	
Plaintiffs,)	
vs.)	NO. CIV-16-0184-HE
)	
CITY OF OKLAHOMA CITY, <i>et al.</i> ,)	
)	
Defendants.)	

SHERRY ELLIS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
vs.)	NO. CIV-16-0019-HE
)	
DANIEL HOLTZCLAW, <i>et al.</i> ,)	
)	
Defendants.)	

**PLAINTIFFS’ SECOND JOINT MOTION TO EXTEND TIME TO RESPOND
TO DEFENDANTS’ MOTIONS FOR SUMMARY JUDGMENT**

Plaintiffs Shardayreon Hill, Carla Johnson, Jannie Ligons, Kala Lyles, and Terri Morris in *Barnes v. City of Oklahoma City*, No. CIV-16-0184-HE (W.D. Okla.), and Plaintiff Regina Copeland in *Ellis v. Holtzclaw*, No. CIV-16-0019-HE (W.D. Okla.) (collectively, “Plaintiffs”), jointly move for an order extending the deadline to respond to Defendants’ motions for summary judgment to Wednesday, October 20, 2021. In support of this Motion, Plaintiffs advise the Court of the following:

1. Defendants have filed three (3) motions for summary judgment in *Barnes v. City of Oklahoma City*, No. CIV-16-184-HE (W.D. Okla.) and one (1) motion for summary

judgment in *Ellis v. Holtzclaw*, No. CIV-16-019-HE (W.D. Okla.), each of which exceeds the Court's standard limit of 30 pages for motions for summary judgment.

2. This case, which was filed in February 2016 and has thus far led to five and a half (5 ½) years of active litigation, has involved a substantial amount of discovery, which has included, but has not been limited to, approximately twenty (20) depositions and over 30,000 pages of documents.

3. The undersigned counsel represents six (6) of the plaintiffs in the above-captioned actions, each of whom has a unique set of facts underlying their claims.

4. To respond to Defendants' motions, it is necessary for Plaintiffs' counsel to review more than 4,600 pages of deposition testimony; more than 4,300 pages of testimony from Holtzclaw's criminal proceedings; and tens of thousands of pages of police reports, emails, training materials, policies and procedures, investigation reports, and other documents to identify the evidentiary materials to cite in Plaintiffs' responses.

5. Plaintiffs' counsel has already spent a significant amount of time preparing the response briefs, and we are continuing to review discovery documents, compile exhibits, research the applicable case law, and draft the briefs themselves. As of now, Plaintiffs' counsel has completed the responses to Defendants' statements of material fact and the sections for additional facts precluding summary judgment, compiled and formatted most of the exhibits, and begun drafting the arguments. However, Plaintiffs need an additional three (3) business days to complete and file their responses.

6. This is these Plaintiffs' second request to extend this deadline. Plaintiffs previously requested a thirty (30)-day extension of the time to respond, and the Court

entered an order extending the deadlines by ten (10) days, from October 4 and 5, 2021 to October 15, 2021.

7. Counsel for Plaintiffs Tabatha Barnes (CIV-16-184-HE) and Adaira Gardner (CIV-16-349-HE), Defendant Daniel Holtzclaw, and Defendants City of Oklahoma City, Bill Citty, and Rocky Gregory, do not object to this motion.

8. Counsel for Plaintiffs Sherry Ellis and Carla Raines in CIV-16-019-HE and Plaintiff Rosetta Grate in CIV-16-349-HE have not responded to an email inquiring whether they object, which was sent at or about 4:30 p.m. on October 12, 2021.

9. The requested extension will not impact the trial date in this matter.

WHEREFORE, Plaintiffs respectfully move the Court for an order extending the time to respond to each of the Defendants' motions to Wednesday, October 20, 2021.

Respectfully submitted,

s/KyMBERLI J. M. HECKENKEMPER

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