

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND, SOUTHERN DIVISION**

Thomas L. MOFFETT, II, et al.	:	
Plaintiffs:	:	
	:	
	:	
v.	:	Civil Action No.
	:	PJM05CV1547
	:	
	:	
Computer Sciences Corp., et al	:	
Defendants	:	

---

**PLAINTIFFS' MOTION FOR A CONSENT ORDER GRANTING LEAVE TO  
EXCEED PAGE LIMIT AND LEAVE TO FILE SUPPLEMENTAL OPPOSITION**

---

Now come the Plaintiffs, by their counsel, and file Plaintiffs' Motion for a Consent Order Granting Leave to Exceed Page Limit and Leave to File Supplemental Opposition, as follows:

1. On Friday, April 7, 2006, twelve WYO Defendants and Defendant Dubyak filed a Motion for Leave to Exceed Page Limit by Five Pages, with respect to their Partial Motion to Dismiss Reply Memorandum. Just prior to the filing on Friday of the Motion for Leave, Peter Axelrad, one of the counsel for movants, left a voicemail message for Martin H. Freeman, one of the undersigned counsel for Plaintiffs, requesting his consent to the entry of an order granting the motion. The message was not retrieved by Mr. Freeman until after hours on Friday. Upon retrieving Mr. Axelrad's request, Mr. Freeman attempted unsuccessfully to reach Mr. Axelrad on Friday after hours. On Monday morning, April 10, 2006, Mr. Freeman left a message with Mr. Axelrad's

assistant, requesting his return call. On Monday afternoon, Mr. Axelrad returned Mr. Freeman's call, and the request for consent to the entry of an order granting leave to file the thirty page reply memorandum was discussed.

2. In the discussion, Mr. Freeman noted that new arguments had been raised, and new cases discussed, in the reply memorandum, which he believed required a brief memorandum in response, prior to oral argument scheduled for April 24<sup>th</sup> and 25<sup>th</sup>, 2006. He proposed presentation of a consent order to the Court, granting both Defendants' Motion for Leave, and Plaintiffs' Motion for Leave to File a Supplemental Opposition to the Partial Motion to Dismiss. Mr. Freeman indicated that the supplemental opposition would not exceed ten (10) pages of text, and should be filed no later than Monday, April 17, 2006, so that both the Court and defense counsel would have ample time to review the supplemental opposition prior to oral argument on April 24<sup>th</sup> and 25<sup>th</sup>.

3. Mr. Axelrad agreed to Mr. Freeman's proposal. Both attorneys agreed that Mr. Freeman would file Plaintiffs' Motion for a Consent Order Granting Leave to Exceed Page Limit and Leave to File Supplemental Opposition, on Tuesday, April 11, 2006. Mr. Axelrad authorized Mr. Freeman to represent to the Court, in the Plaintiffs' motion, that Mr. Axelrad agreed to and consented to entry of the consent order.

4. Filed herewith is the proposed Consent Order containing the provisions to which Messrs. Freeman and Axelrad have agreed.

WHEREFORE, Plaintiffs, by their counsel, and with the authority of counsel for twelve WYOs and Mr. Dubyak, request that the Court sign the proposed Consent Order presented herewith.

Respectfully submitted,

FREEMAN & FREEMAN, P.C.

By: /s/ Martin H. Freeman /s/  
Martin H. Freeman (Fed'l Bar No. 00026)  
One Church Street, Suite 200  
Rockville, Maryland 20850  
(301) 315-0200

and

MARCARI RUSSOTTO & SPENCER, PC

By: /s/ Donald Marcari /s/  
Donald Marcari  
Frank D. Lawrence, III  
501 Baylor Court  
Chesapeake, VA 23320  
(757) 963-2800

Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copies of the forgoing Plaintiffs' Motion for a Consent Order Granting Leave to Exceed Page Limit and Leave to File Supplemental Opposition, and proposed Consent Order, were served on all counsel of record this 11<sup>th</sup> day of April, 2006, via electronic case filing

/s/ Martin H. Freeman /s/  
Martin H. Freeman

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND, SOUTHERN DIVISION**

Thomas L. MOFFETT, II, et al.	:	
Plaintiffs:	:	
	:	
	:	
v.	:	Civil Action No.
	:	PJM05CV1547
	:	
	:	
Computer Sciences Corp., et al	:	
Defendants	:	

**CONSENT ORDER**

The Motion for Leave to Exceed Page Limit by Five Pages, filed by twelve WYO Defendants and Defendant Dubyak with respect to their Partial Motion to Dismiss Reply Memorandum, and Plaintiffs’ Motion for a Consent Order Granting Leave to Exceed Page Limit and Leave to File Supplemental Opposition, having come before the Court, and it appearing that the parties to the two motions have agreed to and consent to the entry of this Consent Order, and that the entry of the Consent Order is appropriate, it is, this \_\_\_\_\_ day of April, 2006,

**ORDERED**, that the twelve WYOs and Mr. Dubyak are granted leave to exceed the reply memorandum page limit by five pages, and it is further,

**ORDERED**, that Plaintiffs are granted leave to file a supplemental opposition to the said reply memorandum, containing no more than ten pages of text, on or before April 17, 2006.

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