

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
CIVIL NO. 05-2177 JRT/FLN

CHRISTOPHER ROLLER, )  
)  
Plaintiff, )  
)  
v. )  
)  
GEORGE BUSH ADMINISTRATION, C/O )  
GEORGE W. BUSH, RICHARD B. CHENEY, )  
DONALD H. RUMSFELD, and )  
JOHN DAVID ASHCROFT, )  
)  
Defendants. )

**THE FEDERAL DEFENDANTS’  
MEMORANDUM IN SUPPORT OF  
MOTION TO ENLARGE TIME TO  
ANSWER OR OTHERWISE PLEAD**

**INTRODUCTION**

George Bush Administration, George W. Bush, Richard B. Cheney, Donald H. Rumsfeld, and John David Ashcroft (“Federal Defendants “) request an enlargement of time to respond to Plaintiff’s complaint until 60 days after proper service on the United States Attorney for the District of Minnesota or to February 10, 2006, whichever is later.

**DISCUSSION**

On September 20, 2005, a pro se Complaint was filed with the United States District Court. A sixty day summons was issued.

On September 27, 2005, the summons and complaint were personally served on Authorized Agent in Charge Earnest Parker at the U.S. Attorney General, 950 Pennsylvania Avenue, NW, Washington, DC 20530.

On December 2, 2005, Plaintiff filed a “Motion for Default Summary Judgment Notice of Motion.”

On December 13, 2005, the United States Attorney's Office learned of this action on after being contacted by Cathy Orlando, Calendar Clerk for Magistrate Judge Franklin L. Noel.

The United States Attorney's Office for the District of Minnesota has never been properly served with the summons and complaint pursuant to Fed. R. Civ. P. 4(i)(1)(A).

The United States, its agencies and employees are entitled to 60 days to answer or otherwise respond after proper service on the United States. Fed. R. Civ. P. 12(a)(3)(A) and (B).

Consequently, this court is requested to order that an answer or other responsive pleading need not be made until 60 days after proper service on the United States Attorney's Office for the District of Minnesota or until February 10, 2006, whichever comes later.

### **CONCLUSION**

Based upon the foregoing, the Federal Defendants' request for Enlargement of Time to Answer or Otherwise Respond should be granted.

Dated: December 14, 2005

THOMAS B. HEFFELFINGER  
United States Attorney

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