

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 10-21957-Civ-LENARD
(Crim. Case No. 98-721-Cr-LENARD)

GERARDO HERNANDEZ,

Movant,

vs.

UNITED STATES OF AMERICA,

Respondent.

**UNOPPOSED MOTION TO EXCEED PAGE LIMITATION FOR
REPLY TO GOVERNMENT'S CONSOLIDATED RESPONSE IN
OPPOSITION TO MOTIONS, INCLUDING MOTION TO AMEND,**

Movant, Gerardo Hernandez, through undersigned counsel, respectfully moves to exceed the page limitations applicable to his reply to the Government's consolidated response in opposition to motions, including motion to amend [DE:73] by 15 pages, and in support of the motion states:

1. The Movant's reply to the Government's consolidated response to pending motions by Movant is 25 pages in length, exceeding the page limitation for replies under the Local Rules of this Court. The nature of the issues and the need to address argument raised in the government's 50-page response necessitated exceeding the page limitation.

2. Counsel for the Government, Assistant United States Attorney Caroline Heck Miller, has authorized counsel to represent that the Government does not oppose this request.

WHEREFORE, Movant Gerardo Hernandez moves to exceed the page limitation for his reply to the Government's consolidated response to by 15 pages, exclusive of exhibits.

Respectfully submitted,

/s/ Martin Garbus
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CERTIFICATE OF SERVICE

I HEREBY certify that on January 28, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

s/ Richard C. Klugh
Richard C. Klugh, Esq.