

# United States Court of Appeals

District of Columbia Circuit  
Washington, D.C. 20001-2866

Mark J. Langer  
Clerk

General Information  
(202) 216-7000

## NOTICE OF PROPOSED CIRCUIT RULE CHANGE AND OPPORTUNITY FOR COMMENT

Notice is hereby given that the Court, pursuant to D.C. Circuit Rule 47, proposes amendments to Circuit Rules 27 and 28. This proposed change simplifies the procedures for seeking extensions of time to file briefs and other pleadings and for seeking leave to exceed page or word limits.

### OPPORTUNITY FOR COMMENT

Comments on the proposed amendment may be submitted to the Court's Advisory Committee on Procedures within 45 days from the date of the publication of this Notice in *The Daily Washington Law Reporter*. Written comments should be sent to:

Advisory Committee on Procedures  
c/o Clerk of Court  
United States Court of Appeals for the D.C. Circuit  
333 Constitution Avenue, N.W., Room 5409  
Washington, D.C. 20001

The Committee will consider any comments received from interested persons and organizations. It will then formulate recommendations to the Court.

Copies of this Notice have been published this day by the means specified in D.C. Circuit Rule 47(c).

Date: October 16, 2006

/s/ Mark J. Langer  
Mark J. Langer, Clerk

[NOTE: The text of the proposed change is also available on the Court's web site at [www.cadc.uscourts.gov](http://www.cadc.uscourts.gov) under "News, Announcements and Events."]

Current Circuit Rule 27(h)(1)

**(h) Motions to Extend Time for Filing and to Exceed Page Limits.**

**(1) Timeliness of Request.** A motion to extend the time for filing motions, or to exceed the page limits for such pleadings, must be filed at least 10 calendar days before the due date of such pleadings. A motion to extend the time for filing a response to a motion, or to exceed the page limits for such pleading, must be filed at least 3 calendar days before the due date of such pleading. A motion to extend the time for filing a reply to a response to a motion, or to exceed the page limits for such pleading, must be filed at least 2 calendar days before the due date of such pleading.

Current Circuit Rule 28(g)(2)

**(g) Request to Exceed the Limits on the Length of Briefs and for Extension of Time for Filing.**

(2) A motion to exceed the limits on length of briefs or to extend the filing time for a brief must be filed at least 10 calendar days before the main briefs are due to be filed, and at least 5 calendar days before a reply brief is due to be filed.

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Proposed Circuit Rule 27(h)(1)

**(h) Motions to Extend Time for Filing and to Exceed Page Limits.**

**(1) Timeliness of Request.** A motion to extend the time for filing motions, responses, and replies, or to exceed the page limits for such pleadings, must be filed at least five calendar days before the pleading is due. Motions filed fewer than five calendar days before the due date will be denied absent exceptional circumstances, except that the clerk may grant unopposed late filed motions for extension of time for good cause shown.

Proposed Circuit Rule 28(g)(2)

**(g) Request to Exceed the Limits on the Length of Briefs and for Extension of Time for Filing.**

(2) A motion to exceed the limits on length of briefs or to extend the filing time for a brief must be filed at least five calendar days before the brief is due. Motions filed fewer than five calendar days before the due date will be denied absent exceptional circumstances, except that the clerk may grant unopposed late filed motions for extension of time, that do not affect the oral argument schedule, for good cause shown.