IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PATRICIA J. HERRING, et al.,

Civil Action No. 03-5500 (LDD)

Plaintiffs,

-V.-

UNITED STATES OF AMERICA,

Dated: March 25, 2004

JURY TRIAL DEMANDED

Defendant.

PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS

-AND-

PLAINTIFFS' REQUEST FOR ORAL ARGUMENT

Plaintiffs do not oppose Defendant's Motion for Leave to File Reply Brief in Support of its pending Motion to Dismiss the Complaint in the above-captioned matter, filed March 19, 2004.

Plaintiffs, however, in lieu of further briefing, respectfully request oral argument of Defendant's Motion to Dismiss their Complaint. A proposed form of Order is attached.

Wilson M. Brown, III

Jeff A. Almeida

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that, on this date, I served a true and correct copy of the foregoing

Plaintiffs' Response to Defendant's Motion for Leave to File Reply Brief in Support of Motion to

Dismiss and Plaintiffs' Request for Oral Argument by way of first-class mail, postage prepaid,

upon the following counsel for Defendant:

James J. Gilligan, Esquire Senior Trial Counsel U.S. Department of Justice Civil Division Federal Programs Branch P.O. Box 883 Washington, DC 20044

Date: March 25, 2004

Jeff A. Almeida

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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PATRICIA J. HERRING, et al.,	:	
Plaintiffs,	: Civil Action No. 03-5500 (LDD)	
-v	: :	
UNITED STATES OF AMERICA,	:	
Defendant.	: JURY TRIAL DEMANDED ::	
ORDER		
AND NOW, this day of March, 2004, upon consideration of		
Defendant's Motion for Leave to File Reply Brief in Support of Its Motion to Dismiss the		
Complaint, dated March 19, 2004 and Plaintiffs' response thereto and Request for Oral		
Argument, it is hereby ORDERED that:		
1. The Defendant's Motion for	The Defendant's Motion for Leave to File its Reply Brief is granted; and,	
2. Plaintiffs' Request for Oral Argument is granted, and oral argument of		
Defendant's Motion to Dismiss is scheduled for	, 2004, at, in	
Courtroom 12A, United States Courthouse, 601 Market Street, Philadelphia, PA.		
	Hon. Legrome D. Davis United States District Judge	