

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**T.B.** by and through his parents THOMAS )  
BOYCE and MARGARET BOYCE, **Q.G.** )  
by and through his parents MICHAEL )  
GOLDBERG and MAYUMI GOLDBERG, )  
**M.K.** by and through her parents BRADLEY )  
KISH and MARY KISH, **X.N.** by and through )  
his parents FRANCISCO NEVAREZ and )  
LISETTE NEVAREZ, **S.P.** by and through her )  
parents FRANK PETERSON and CORELYN )  
PETERSON, **O.W.** by and through his parents, )  
JEFFREY WELLMAN and AMY WELLMAN, )  
individually and on behalf of a class. )

Plaintiffs, )

vs. )

**JULIE HAMOS**, in her official capacity as )  
Director of the Illinois Department of )  
Healthcare and Family Services, )  
 )  
Defendant. )

No. 12 C 5356

Judge Robert W. Gettleman

Magistrate Judge Schenkier

**DEFENDANT’S MOTION TO ENLARGE THE TIME TO FILE  
RESPONSE IN OPPOSITION TO PLAINTIFFS’  
MOTION FOR CLASS CERTIFICATION**

NOW COMES Defendant, JULIE HAMOS, in her official capacity as Director of the Illinois Department of Healthcare and Family Services, by and through her attorney, LISA MADIGAN, Attorney General of Illinois, and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, hereby seeks an enlargement of time to file a Response in Opposition to Plaintiffs’ Motion for Class Certification to and including November 13, 2012, stating as follows:

1. On October 25, 2012 the court set a briefing schedule on Plaintiffs’ Motion for Temporary Restraining Order and Plaintiffs’ Motion for Class Certification. Minute Entry, Civil Docket 12 C 5356 at 29. Defendant was granted until November 2, 2012 to file her Response to

Plaintiffs' Motion for Preliminary Injunction and Defendant's Motion for Class Certification. *Id.*

2. Defendant timely filed her Response in Opposition to Plaintiffs' Motion for Temporary Restraining Order on November 2, 2012. Defendant has been unable to complete her Response in Opposition to Plaintiffs' Motion for Class Certification due to her counsel's engagement, on and subsequent to October 25, 2012, in the following:

a). *Hampe v. Hamos*, 10 C 3121 (N.D. Ill.). Prepared and filed Defendant's Reply regarding her Motion for Summary Judgment on October 25, 2012.

b). *KV Pharmaceutical v. Hamos, et al.*, 12 C 6697 (N.D. Ill.). Represented Defendants in proceedings on Plaintiffs' Motion for Preliminary Injunction and, on October 25, 2012, engaged in negotiations to secure Plaintiffs' voluntary dismissal of their action on that date.

c). *Harris v. Hamos*, 12 C 7105 (N.D. Ill.). Reviewed discovery served by Plaintiffs in preparation for a hearing on Plaintiffs' Motion for Preliminary Injunction on November 21, 2012.

d). *N.B. v. Hamos*, 11 C 6866 (N.D. Ill.). Prepared and filed Defendant's Response in Opposition to the Cook County Public Guardian's Second Motion to Intervene on October 31, 2012.

e). *T.B. v. Hamos*, 12 C 5356 (N.D. Ill.). Prepared and filed Defendants' Response in Opposition to Plaintiffs' Motion for Temporary Restraining Order on November 2, 2012.

f). *Lloyd v. DHS, et al.*, 11 CH 39171 (Circuit Court of Cook County). Argued the merits of Plaintiffs' action for administrative review on October 31, 2012.

g). *L.A. Transportation v. HFS*, 12 L 50325 (Cir. Ct. Cook County, Transferred to Chancery). Argued Defendant's Motion to Dismiss on October 26, 2012.

3. Counsel had no opportunity to confer with their client regarding the Plaintiffs'

Motion for Class Certification before November 1, 2012.

4. Defendant requests an enlargement of time to file her Response in Opposition to Plaintiffs' Motion for Class Certification to and including November 13, 2012.

5. This motion is made in the interest of justice and not for purpose of delay.

WHEREFORE, for the reasons stated above, Defendant respectfully requests that this Court grant an enlargement of time to file her Response in Opposition to Plaintiffs' Motion for Class Certification to and including November 13, 2012.

Respectfully submitted,

LISA MADIGAN  
Attorney General  
State of Illinois

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