

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA)
)
)
 v.) CR. NO. 05-394 (RBW)
)
)
 I. LEWIS LIBBY,)
 also known as "Scooter Libby.")

**UNOPPOSED MOTION OF I. LEWIS LIBBY FOR EXTENSION OF TIME IN WHICH
TO COMPLETE DISCLOSURE CONCERNING
EXPERT TESTIMONY ON MEMORY**

Defendant I. Lewis Libby moves for an extension of time through July 31, 2006 in which to complete his disclosure concerning expert testimony on memory and to file his motion for the admission of that testimony.

As grounds for this motion, we state the following:

1. At the hearing on June 12, 2006, counsel for Mr. Libby proposed July 17 as the deadline for providing disclosure concerning any expert testimony on memory that Mr. Libby proposes to offer. The Court adopted that date.

2. On July 17, counsel for Mr. Libby provided the government with the name, curriculum vitae, and publication list for our proposed expert concerning memory. The disclosure thus provides the expert's "qualifications." Fed. R. Crim. P. 16(b)(1)(C). The disclosure does not, however, summarize the expert witness' "opinions" or the "bases and reasons for those opinions." Id.

3. Counsel have worked diligently to meet the July 17 deadline. Because of counsel's other commitments and the expert witness' overseas travel schedule, however, counsel

have been unable to provide a complete disclosure by the July 17 deadline. Counsel believe that an additional two weeks, through July 31, should be sufficient to permit the defense to complete the disclosure that Rule 16(b)(1)(C) contemplates and to file a motion for the admission of the expert testimony.

4. The government, through Special Counsel Patrick J. Fitzgerald, does not oppose the relief requested in this motion.

Respectfully submitted,

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