

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES, ex rel.
ERVIN AND ASSOCIATES, INCORPORATED,

Plaintiffs,

v.

THE HAMILTON SECURITIES GROUP, INC., et al.,

Defendants.

~~FILED UNDER SEAL~~

Civil Action No. 96-CV-1258
(Judge Louis F. Oberdorfer)

FILED

APR 27 2000

NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT

MOTION TO ALTER BRIEFING SCHEDULE

Relator Ervin and Associates, Incorporated, et al. ("Ervin"), by counsel, hereby moves this Court to alter the Briefing Schedule as described in this Court's Order of April 18, 2000, on the following grounds:

1. The current Scheduling Order allows Relator Ervin and Associates, Incorporated ("Ervin") and the Government to file supplemental oppositions to Defendant Hamilton Securities Group, Inc., et al.'s ("Hamilton") Motion to Unseal File on or before April 28, 2000.

2. Ervin respectfully suggests that the ends of justice would be better served if Ervin were to file its supplemental opposition, if any, after the Government files its supplemental opposition, if any, on April 28, 2000. This will avoid having Ervin make arguments which overlap or duplicate those made by the Government. Ervin would also agree to enlarging the time Hamilton would have to file its response so that it is not prejudiced by this change in the briefing schedule.

✓ 42

WHEREFORE, for the reasons stated above, the parties respectfully request that the Court's Scheduling Order with respect to Hamilton's Motion to Unseal File be amended as follows:

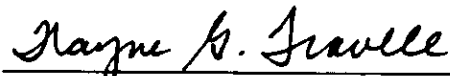
A. The Government may file its supplemental opposition to Hamilton's Motion to Unseal File on or before April 28, 2000;

B Ervin may file its supplemental opposition to Hamilton's Motion to Unseal File on or before May 5, 2000; and

C Hamilton may file its supplemental reply, if any, on or before May 15, 2000.

Ervin also respectfully requests that the hearing on Hamilton's Motion to Unseal File be continued until May 22, 2000, or such time thereafter as is convenient to the Court.

Respectfully submitted,



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Counsel for Plaintiff

Dated: April 27, 2000

LOCAL CIVIL RULE 7.1(M) CERTIFICATE

Counsel for Relator Ervin and Associates, Incorporated, et al. has discussed the relief sought with counsel for the United States and for Defendant Hamilton Securities, Group, et al. ("Hamilton"). The United States does not oppose and has consented to the relief sought. Counsel for Hamilton initially consented to this Motion but yesterday withdrew that consent.



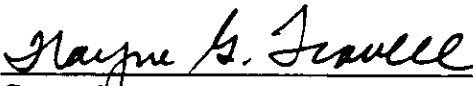
Wayne G. Travell

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of April, 2000, a true copy of the foregoing Motion to Alter Briefing Schedule and Amended Scheduling Order was served by hand delivery upon the following:

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