

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL VETERANS LEGAL
SERVICES PROGRAM, *et al.*,
Plaintiffs,

v.

UNITED STATES OF AMERICA,
Defendant.

Case No. 16-745-ESH

PLAINTIFFS' MOTION FOR LEAVE TO FILE A SUR-REPLY

The plaintiffs respectfully seek leave to file the attached one-paragraph sur-reply to address two new points raised in the government's reply in support of its motion to dismiss. *See Ben-Kotel v. Howard Univ.*, 319 F.3d 532, 536 (D.C. Cir. 2003) ("The district court routinely grants such motions [for leave to file a surreply] when a party is unable to contest matters presented to the court for the first time in the last scheduled pleading."); *Fischer v. FBI*, Civ. 07-2037ESH, 2008 WL 2248711, at *1 (D.D.C. 2008) (Huvelle, J.) (same). The government opposes this request.

Respectfully submitted,

/s/ Deepak Gupta

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August 17, 2016

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2016, I filed the foregoing motion for leave to file a sur-reply through this Court's CM/ECF system, and that all parties required to be served have been thereby served.

/s/ Deepak Gupta

Deepak Gupta