UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

EXXON MOBIL CORPORATION, Plaintiff, v. CORPORACIÓN CIMEX, S.A., *et al.*, Defendants.	)	Civil Action No.: 19-1277 (APM)

PLAINTIFF'S CONSENT MOTION FOR
EXTENSION OF TIME AND ENTRY OF SCHEDULING ORDER

Plaintiff Exxon Mobil Corporation ("Plaintiff") moves, pursuant to Fed. R. Civ. P. 6(b)(1) and Fed. R. Civ. P. 26, for an Order: (i) extending the time for Plaintiff to file its Opposition to Defendants' Motion to Dismiss Action with Prejudice and for Other Relief (Dkt. Nos. 42 & 43) (the "Motion") and (ii) setting a schedule for the parties' compliance with the requirements of Fed. R. Civ. P. 26(f). Counsel for Defendants has authorized the undersigned to represent that said Defendants consent to the Court's entering the proposed Order.

In support of this motion, Plaintiff respectfully states as follows:

1. On June 16, 2020, Defendants moved to dismiss this action for lack of subject-matter and personal jurisdiction, and for other relief (*viz*., that proceedings on personal jurisdiction be stayed until final determination of subject-matter jurisdiction under the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1602 *et seq*., ("FSIA") and, if not moot, for a more definite statement of certain allegations of the Second Amended Complaint). *See* Dkt. Nos. 42 & 43. Defendants advanced numerous grounds for dismissal in support of the Motion, some of which they supported in part or in the alternative by one or more declarations and exhibits.

2. After conferring, the parties have agreed that, upon its request, Plaintiff's time to file its Opposition to the Motion be extended from July 31, 2020 to September 29, 2020 and, upon their request, Defendants' time to file a Reply thereto be extended from thirty (30) days to forty-five (45) days.

3. The parties further agreed that the efficient and orderly conduct of the instant proceedings would be promoted by the Court, in addition to modifying the briefing schedule, providing in its Order on the instant motion that: (i) to the extent that the Court's treatment or disposition of the Motion does not render their compliance with Rule 26(f) of the Federal Rules of Civil Procedure moot, the parties, consistent with any relevant rulings by the Court in its treatment or disposition of the Motion, shall: comply with Rule 26(f) with respect to FSIA jurisdictional discovery; and, pursuant thereto, meet and confer under Rule 26(f) within thirty (30) days of entry of the Court's order on the Motion, and submit a discovery plan in accordance with Rule 26(f), with respect to FSIA jurisdictional discovery (including for the litigation of any objections by Defendants to, or with respect to, FSIA jurisdictional discovery); and (ii) nothing in the proposed Order, or Plaintiff's motion for or Defendants' consent to the entry of same, shall be construed to waive, limit or prejudice any party's rights, positions or arguments regarding: jurisdictional discovery; appeal from or petition for appellate review of the Court's order or orders on the Motion or otherwise; arguments pertaining to jurisdictional discovery that may be raised on appeal or appellate review; or any party's other rights, positions or arguments. The proposed Order agreed upon by the parties further provides that the parties may advise the Court of their views with respect to the need *vel non* for FSIA jurisdictional discovery in the opposition and reply briefs, without need to make a motion for leave to take jurisdictional discovery.

4. A proposed Order embodying the parties' agreement as set forth above is submitted herewith.

Dated: July 13, 2020

Respectfully submitted,

By: /s/ *Jared R. Butcher*

Steven K. Davidson (DC Bar #407137)
Michael J. Baratz (DC Bar #480607)
Jared R. Butcher (DC Bar #986287)
STEPTOE & JOHNSON LLP
1330 Connecticut Ave NW
Washington, DC 20036
Telephone: 202-429-3000
Facsimile: 202-429-3902
sdavidson@steptoe.com
mbaratz@steptoe.com
jbutcher@steptoe.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

This is to certify that the foregoing was electronically filed with the Clerk of Court using the CM/ECF system that will automatically send email notification of such filing to all counsel of record.

/s/ Jared R. Butcher
Jared R. Butcher