

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

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 10-223 (RBW)
)	
WILLIAM R. CLEMENS,)	
)	
Defendant.)	
_____)	

**DEFENDANT’S CONSENT MOTION TO SET BRIEFING
SCHEDULE AND CONTINUE RETURN DATE ON
SUBPOENAS DUCES TECUM TO THIRD PARTIES**

Defendant William R. Clemens, by and through his attorneys, hereby submits this Consent Motion to Set Briefing Schedule and Continue Return Date on Subpoenas Duces Tecum to Third Parties. In support of this motion, Mr. Clemens states as follows:

1. By Order dated December 8, 2010, the Court authorized Mr. Clemens to issue subpoenas duces tecum requiring the third-party production on or before March 14, 2011, of information acquired in conjunction with the Report to the Commissioner of Baseball of an Independent Investigation into the Illegal Use of Steroids and other Performance Enhancing Substances by Players in Major League Baseball, as well as information acquired in conjunction with the proceedings conducted by the United States House of Representatives’ Committee on Oversight and Government Reform concerning the alleged use of steroids and other performance enhancing substances in Major League Baseball. (ECF No. 7).

2. Pursuant to this Order, on February 10, 2011, Mr. Clemens served subpoenas duces tecum on DLA Piper US LLP (“DLA”) and on the House of Representatives’ Committee on Oversight and Government Reform (the “Committee”).

3. Counsel for Mr. Clemens, the government, DLA, and the Committee have conferred concerning an appropriate briefing schedule on any motions to be filed in response to the subpoenas duces tecum. The parties agreed to the following briefing schedule:

- The return date on the subpoenas is continued to March 18, 2011.
- Any motions in response to the subpoenas shall be filed by DLA and the Committee on or before March 18, 2011. If the government deems it appropriate to file a pleading concerning the subpoenas, it shall do so by this date also.
- Mr. Clemens shall file his memoranda in opposition to the motions, and his response to any pleading filed by the government, on or before April 6, 2011.
- DLA and the House shall file their reply briefs on or before April 15, 2011. If the government deems it appropriate to file a pleading in response to Mr. Clemens' filing, it shall do so by this date also.
- If convenient to the Court's calendar, the parties request that the Court conduct a hearing on the motions on April 21, 2011.

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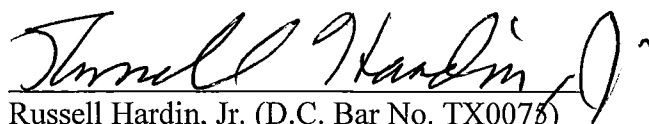
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WHEREFORE, Mr. Clemens respectfully requests that the Court enter the proposed Order filed concurrently herewith setting the briefing schedule set forth above.

Respectfully submitted,

RUSTY HARDIN & ASSOCIATES, P.C.



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