

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

LOUISE RAFTER, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	No. 14-740C
v.	)	(Judge Sweeney)
	)	
THE UNITED STATES,	)	
	)	
Defendant.	)	

**DEFENDANT’S RESPONSE TO PLAINTIFFS’  
MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT**

Pursuant to Rule 7.2 of the Rules of the United States Court of Federal Claims (RCFC), defendant, the United States, respectfully responds to the motion for leave to file an amended complaint filed by plaintiffs on August 17, 2015. As noted in plaintiffs’ motion, plaintiffs asked, shortly before filing, whether we would consent to the motion, and we were unable to confer with our client and notify counsel of our position within that limited time frame. Having considered plaintiffs’ request, however, we do not oppose the filing of plaintiffs’ amended complaint, although we reserve our right to raise any and all defenses, including jurisdictional defenses, arising from the amended complaint.

Respectfully submitted,

BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney  
General

s/ Robert E. Kirschman, Jr.  
ROBERT E. KIRSCHMAN, JR.  
Director

s/ Kenneth M. Dintzer  
KENNETH M. DINTZER  
Deputy Director  
Commercial Litigation Branch  
Civil Division  
Department of Justice  
P.O. Box 480  
Ben Franklin Station  
Washington, D.C. 20044  
(202) 616-0385  
(202) 307-0972 fax  
kenneth.dintzer@usdoj.gov

September 1, 2015

Attorneys for Defendant

**CERTIFICATE OF FILING**

I hereby certify that on October 10, 2014, a copy of the foregoing “DEFENDANT’S UNOPPOSED MOTION FOR ENLARGEMENT OF TIME” was filed electronically. I understand that notice of this filing will be sent to all parties by operation of the Court’s electronic filing system. Parties may access this filing through the Court’s system.

/s Elizabeth M. Hosford