

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
MARY LOUIS AND MONICA)	
DOUGLAS, ON BEHALF OF)	
THEMSELVES AND SIMILARLY)	
SITUATED PERSONS, AND)	
COMMUNITY ACTION AGENCY OF)	
SOMERVILLE, INC.)	
)	
	Plaintiffs,)	NO. 1:22-CV-10800-AK
vs.)	
)	
SAFERENT SOLUTIONS, LLC AND)	
METROPOLITAN MANAGEMENT)	
GROUP, LLC)	
)	
	Defendants.)	
_____)	

**PLAINTIFFS’ RESPONSE TO THE CONSUMER DATA INDUSTRY ASSOCIATION’S
MOTION FOR PERMISSION TO FILE BRIEF OF AMICI CURIAE**

The Consumer Data Industry Association has sought leave to file a brief of amici curiae in support of Defendant SafeRent’s Motion to Dismiss. ECF 41. Defendant’s motion to dismiss was filed on October 27, 2022 (ECF 31); Plaintiffs’ opposition was filed on December 19, 2022 (ECF 36); and Defendant’s reply is due to be filed on February 17, 2023. Defendant’s reply was originally due on January 27, 2023, but the due date was moved to provide Defendant the opportunity to respond to arguments raised in the Statement of Interest filed by the Department of Justice (ECF 37) two weeks before Defendant’s reply was originally due. ECF 38, 39.

Plaintiffs informed counsel for the Consumer Data Industry Association that they would not oppose the filing of the amicus brief if all parties agreed not to oppose a motion by Plaintiffs for leave to file a surreply to respond to the arguments newly raised in the amicus brief should the Court permit it to be filed. Defendant SafeRent indicated it would oppose any such request

for leave to file a surreply.

Plaintiffs take no position on whether or not the proposed amicus brief should be permitted. Plaintiffs ask only that if the Court decides to accept the amicus brief, that they be permitted the opportunity to file a surreply so that they have the opportunity to respond to the arguments raised in the proposed amicus, since Plaintiffs could not have anticipated this brief and its arguments to respond to them in their opposition to the motion to dismiss. If the Court decides to permit the amicus brief, Plaintiffs request that the Court permit three weeks for Plaintiffs to file a surreply of no more than 10 pages.

February 17, 2022

Respectfully submitted,

/s/ Todd S. Kaplan

Todd S. Kaplan (Bar No. 634710)
Nadine Cohen (Bar No. 090040)
GREATER BOSTON LEGAL SERVICES
197 Friend Street
Boston, MA, 02114
Tel.: (617) 371-1234
tkaplan@gbls.org
ncohen@gbls.org

Christine E. Webber (*pro hac vice*)
Samantha N. Gerleman (*pro hac vice*)
COHEN MILSTEIN SELLERS & TOLL PLLC
1100 New York Ave., N.W.
Suite 500
Washington, D.C., 20005
Tel.: (202) 408-4600
cwebber@cohenmilstein.com
sgerleman@cohenmilstein.com

Stuart T. Rossman (Bar No. 430640)
Ariel C. Nelson (Bar No. 705704)
NATIONAL CONSUMER LAW CENTER
7 Winthrop Square, Boston, MA, 02110
Tel.: (617) 542-8010

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF (NEF) and paper copies will be sent to those indicated as non-registered participants on February 17, 2023.

Dated: February 17, 2023

/s/Christine E. Webber
Christine E. Webber