

**IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

JOEL DOE, a minor, by and through his
Guardians JOHN DOE and JANE DOE,
et al.,

Appellants,

v.

BOYERTOWN AREA SCHOOL
DISTRICT, et al.,

Appellees.

No. 17-3113

**UNOPPOSED MOTION FOR EXTENSION OF TIME OF BOYERTOWN
AREA SCHOOL DISTRICT AND PENNSYLVANIA YOUTH CONGRESS
FOUNDATION**

Appellee Boyertown Area School District (BASD) and Intervenor-Appellee Pennsylvania Youth Congress Foundation (PYCF) move this Court under Local Appellate Rule 31.4 for an extension of time to file their briefs until January 16, 2018, and in support of their motion aver:

1. Appellees' briefs are currently due December 14, 2017 (thirty days after the filing of Appellants' corrected brief on November 14, 2017).
2. Intervenor-Appellee PYCF's undersigned counsel will be away for scheduled vacation time for two weeks of those thirty days, and Appellee's co-lead counsel from the ACLU national office will be unavailable to work on this appeal until after the Supreme Court

argument in *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, scheduled for December 5, 2017.

3. Appellee BASD's counsel has a vacation currently scheduled for the week that the brief would currently be due. Furthermore, as BASD's counsel primarily represents public school districts, BASD's counsel has several hearings and matters scheduled to occur in the period just before schools' traditional winter break. Accordingly, a briefing extension of 30 days would permit BASD's counsel to finalize the Appellees' Brief during the time that most of its clients are on vacation.
4. An extension shorter than 30 days would make Appellees' briefs due in the middle of many of its counsel's scheduled vacations and holiday observances.
5. A thirty day extension would make Appellees, briefs due January 13, 2018, which is a Saturday. January 16, 2018 is the next day the Court is open.
6. Neither Intervenor-Appellee PYCF nor Appellee BASD has sought any prior extension in this case.
7. Counsel for Appellants have stated that they do not oppose this request.

CONCLUSION

For the foregoing reasons, the Motion for Extension of Time should be granted.

November 22, 2017.

Respectfully submitted,

/s/ Mary Catherine Roper

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*Admission to the Third Circuit Bar
anticipated

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of November, 2017 the foregoing Motion for Extension of Time was filed electronically with the Court and a true and correct copy was served on all counsel of records via the Court's ECF system.

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