

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

MARK HORTON,	)	
	)	
Plaintiff/Appellant,	)	
	)	Case No. 18-1104
v.	)	
	)	
MIDWEST GERIATRIC MANAGEMENT, LLC,	)	
	)	
Defendant/Appellee.	)	

**APPELLANT MARK HORTON’S CONSENT MOTION  
FOR EXTENSION OF TIME TO FILE REPLY BRIEF**

COMES NOW Plaintiff/Appellant, Mark Horton, by and through his undersigned counsel, and for his Consent Motion for Extension of Time to File Reply Brief States as follows:

1. The original due date for Appellant’s Opening Brief was February 21, 2018.
2. Appellant sought, and was granted, a 14-day extension, and thereafter filed his Opening Brief by his revised due date of March 7, 2018.
3. Appellee’s original due date for its Response Brief was April 6, 2018.
4. Appellee sought, and was granted, a 45-day extension, such that its revised due date became May 21, 2018.
5. Appellee then sought, and was granted, an additional 15-day extension, and thereafter filed its Response Brief by its second revised due date of June 5, 2018.
6. The due date for Appellant’s reply brief is currently due on June 19, 2018.
7. Appellant hereby requests a 21-day extension of time, up to and including July 10, 2018, for filing his Reply Brief.

8. The 21-day extension is necessary and not for purposes of delay or harassment. Appellant's attorneys will require the extra time in order to prepare an adequate reply brief of the issues at stake, over which the Circuit Courts are currently split, taking into consideration that the majority of his attorneys have pre-scheduled vacations, conferences, and/or other out-of-town commitments planned over the next three weeks.

9. Appellant's counsel has conferred with Appellee's counsel, and Appellee's counsel has no objection to this request. Both Appellant and Appellee's counsel consented to all requests for extensions previously granted in this case.

WHEREFORE, Appellant Mark Horton respectfully requests that this Honorable Court grant his request for an additional twenty-one (21) days, up to and including July 10, 2018, to file Appellant's Reply Brief.

Respectfully Submitted,

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By /s/Mark S. Schuver

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**CERTIFICATE OF SERVICE**

I hereby certify that, on June 12, 2018, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/Mark S. Schuver