

No. 20-3289

United States Court of Appeals for the Sixth Circuit

Nicholas K. Meriwether,

Plaintiff-Appellant,

v.

THE TRUSTEES OF SHAWNEE STATE UNIVERSITY—Francesca Hartop, Joseph Watson, Scott Williams, David Furbee, Sondra Hash, Robert Howarth, George White, and Wallace Edwards—in their official capacities; JEFFREY A. BAUER, in his official capacity; ROBERTA MILLIKEN, in her official capacity; JENNIFER PAULEY, in her official capacity; TENA PIERCE, in her official capacity; DOUGLAS SHOEMAKER, in his official capacity; and MALONDA JOHNSON, in her official capacity,

Defendants-Appellees.

On Appeal from the United States District Court
for the Southern District of Ohio
Case No. 1:18-cv-00753-SJD
The Honorable Susan J. Dlott

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

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Attorneys for Plaintiff-Appellant

Appellant Nicholas K. Meriwether respectfully requests a 30-day extension of time to file his Reply Brief.

1. Pursuant to Fed. R. App. P. Rule 31, Appellant's reply brief is currently due September 8, 2020.

2. Counsel for Appellant seeks a 30-day extension due to the restrictions currently being experienced as a result of COVID-19 and the press of numerous other litigation deadlines. Appellant's counsel has the following upcoming litigation deadlines:

- A supplemental brief on remand in the United States District Court for the Northern District of New York on August 28, 2020 (*New Hope Family Services v. Poole*, No. 5:18-cv-1419);
- A response to motion to dismiss in the United States District Court for the Eastern District of Texas on August 27, 2020 (*Hiers v. Wright*, No. 4:20-cv-00321);
- A reply brief in the United States Court of Appeals for the Ninth Circuit on August 31, 2020 (*Calvary Chapel Dayton Valley v. Sisolak*, No. 20-16169);
- An opening brief in the United States Court of Appeals for the Ninth Circuit on September 2, 2020 (*Cedar Park Assembly of God of Kirkland, Washington v. Kreidler et al.*, No. 20-35507);
- A reply brief in support of a petition for certiorari in the

United States Supreme Court on September 2, 2020 (*Tennessee, By and Through the Tennessee General Assembly, et al. v. Department of State, et al.*, No. 19-1137);

- A significant response brief in the United States District Court for the Southern District of Iowa on September 3, 2020 (*Thayer v. Planned Parenthood of the Heartland*, No. 4:11-cv-00129-JAJ-CFB);
- A merits brief and joint appendix in the United States Supreme Court on September 8, 2020 (*Uzuegbunam v. Preczewski*, No. 19-968);
- An opening brief in the United States Court of Appeals for the Eighth Circuit on September 11, 2020 (*Thayer v. Planned Parenthood of the Heartland*, No. 20-2151); and
- A merits reply brief in the United States Supreme Court on September 15, 2020 (*Baker v. Edwards*, No. 19-1186).

3. Appellant's counsel has conferred with counsel for Appellees and both have confirmed they have no objection to the requested extension.

For these reasons, Appellant respectfully requests that he be granted a 30-day extension of time, or until October 8, 2020, within which to file his reply brief.

August 20, 2020

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CERTIFICATE OF COMPLIANCE

1. This document complies with the type-volume limit of FED. R. APP. P. 27(d)(2)(A) because, excluding the parts of the document exempted by FED. R. APP. P. 32(f) and 6th Cir. R. 32(b), this document contains 368 words according to the word count function of Microsoft Word 365.

2. This document complies with the typeface requirements of FED. R. APP. P. 32(a)(5) and the type-style requirements of FED. R. APP. P. 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word 365 in 14-point Century Schoolbook font.

/s/ John J. Bursch

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Date: August 20, 2020

CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2020, a true and accurate copy of the foregoing motion was electronically filed with the Court using the CM/ECF system. Service on counsel for all parties will be accomplished through the Court's electronic filing system.

/s/ John J. Bursch

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Date: August 20, 2020