

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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Appellant Nicholas K. Meriwether respectfully requests a 7-day extension of time to file his Reply Brief.

1. Pursuant to the extension granted in the August 21, 2020 letter from Case Management Specialist Laura A. Jones, Appellant's reply brief is currently due October 8, 2020.

2. Counsel for Appellant seeks a 7-day extension due to the restrictions currently being experienced as a result of COVID-19 and the press of an exceptional number of other litigation deadlines. In recent weeks, Appellant's counsel has had, and will have, the following litigation deadlines, which have impeded work on Appellant's reply in this case:

- An opening merits 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*, No. 20-35507);
- A reply brief in support of an application for leave to appeal in the Michigan Supreme Court on September 4, 2020 (*TruGreen Limited Partnership v. Department of Treasury, State of Michigan*, No. 161652);
- A merits reply brief in the United States Court of Appeals for the Ninth Circuit on September 4, 2020 (*Calvary Chapel Dayton Valley v. Sisolak*, No. 20-16169);
- A reply brief in support of a petition for certiorari in the United States Supreme Court on September 14, 2020 (*Tennessee, By and Through the Tennessee General Assembly v. Department of State*, No. 19-1137);
- A reply brief in support of a petition for certiorari in the United States Supreme Court on September 15, 2020 (*Baker v. Planned Parenthood South Atlantic*, No. 19-1186);

- An opening brief in the United States Court of Appeals for the Eighth Circuit involving a nine-year litigation proceeding on September 15, 2020 (*Thayer v. Planned Parenthood of the Heartland*, No. 20-2151);
- A merits brief and joint appendix in the United States Supreme Court on September 22, 2020 (*Uzuegbunam v. Preczewski*, No. 19-968);
- A merits reply brief in the United States Court of Appeals for the Second Circuit on September 25, 2020 (*AM v. French*, No. 20-1772);
- A significant response brief in the United States District Court for the Southern District of Iowa on September 28, 2020 (*Thayer v. Planned Parenthood of the Heartland*, No. 4:11-cv-00129-JAJ-CFB);
- A petition for certiorari in the United States Supreme Court on September 30, 2020 (*Huntress v. United States*, No. 20-426);
- A motion and brief requesting certification of a summary-judgment order for interlocutory appeal in the United States District Court for the Northern District of Illinois on October 1, 2020 (*National Institute of Family and Life Advocates v. Rauner*, No. 3:16-cv-50310); and
- A brief opposing intervention in the United States Court of Appeals for the Fourth Circuit on October 5, 2020 (*West Point School Board v. Vlaming*, No. 20-1940).

These deadlines are among other commitments and routine legal work.

3. If this Court grants this requested 7-day extension, the reply brief will be filed no later than October 15, 2020. This is more than a month before the oral argument set for November 19, 2020.

4. Appellant's counsel has conferred with counsel for Intervenor, and they have no objection to the requested extension. Appellant's counsel has contacted counsel for Appellees to determine their position on this requested extension but has received no response.

For these reasons, Appellant respectfully requests that he be granted a 7-day extension of time, or until October 15, 2020, within which to file his reply brief.

October 2, 2020

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RULE 32(G)(1) CERTIFICATE OF COMPLIANCE

1. This document complies with the type-volume limit of FED. R. APP. P. 32(a)(7)(B) because, excluding the parts of the document exempted by FED. R. APP. P. 32(f) and 6th Cir. R. 32(b), this document contains 557 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.

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Date: October 2, 2020

CERTIFICATE OF SERVICE

Under FED. R. APP. P. 31 and 6th Cir. R. 31, I hereby certify that on October 2, 2020, a digital copy of this motion was filed electronically with the Court using the its electronic filing system, which automatically sends an electronic notification to all attorneys of record.

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