

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Bear Creek Bible Church, et al.

Plaintiffs,

v.

**Equal Employment Opportunity
Commission, et al.,**

Defendants.

Case No. 4:18-cv-00824-O

**UNOPPOSED MOTION TO EXTEND DEADLINE FOR
SUBMITTING REPLY BRIEF IN SUPPORT OF MOTION FOR
CLASS CERTIFICATION**

The plaintiffs respectfully request a two-day extension to file their reply brief in support of their motion for class certification. The reply is currently due on Monday, June 21, 2021. The proposed extension, if granted, will extend the deadline to Wednesday, June 23, 2021.

The plaintiffs are seeking this extension because their lead counsel, Jonathan F. Mitchell, has had numerous briefing deadlines and court hearings over the last two weeks that will make it difficult, if not impossible, for him to complete the reply brief before the current deadline. Those deadlines and court hearings include:

- A zoom hearing on a motion to dismiss in *Christian Labor Association, et al. v. City of Duluth, et al.*, No. 0:21-cv-00227-DWF-LIB (D. Minn.) held on June 10, 2021.
- A proposed order and final judgment in *Great Northern Resources v. Coba*, No. 3:20-cv-01866-IM (D. Oregon), filed June 11, 2021.
- A reply brief in support of a motion to file a supplemental brief in support of summary judgment in *Road-Con v. City of Philadelphia*, No. 2:19-cv-01667-JS (E.D. Pa.), filed June 14, 2021.

- A motion for panel rehearing in *Leal v. Becerra*, No. 20-11083 (5th Cir.), filed June 17, 2021.
- A reply brief in support of class certification in *Miller v. Vilsack*, No. 4:21-cv-00595-O (N.D. Tex.), filed June 18, 2021.
- A reply brief in support of a motion for preliminary injunction in *Miller v. Vilsack*, No. 4:21-cv-00595-O (N.D. Tex.), filed June 18, 2021.
- An opening appellate brief in *Leal v. Becerra*, No. 21-10302 (5th Cir.), due June 21, 2021.
- An amended motion for summary judgment in *Bear Creek Bible Church v. EEOC*, No. 4:18-cv-00824-O (N.D. Tex.), due June 21, 2021.
- A reply brief opposing a cost-and-fees award in *Hoekman v. Education Minnesota*, No. 0:18-cv-01686-SRN-ECW (D. Minn.) due June 21, 2021.
- A telephonic court hearing in *Great Northern Resources v. Coba*, No. 3:20-cv-01866-IM (D. Oregon), set for 2:00 P.M. on June 21, 2021.

Although Mr. Mitchell was hopeful that he could complete the reply brief by June 21, 2021, without seeking an extension, his workload over this past weekend has led him to conclude that this would not be possible. This request is being made not for purposes of delay, but so that counsel will have time to prepare a brief that will be useful to the Court. The plaintiffs have consulted with counsel for the defendants and they are unopposed to this motion. A proposed order is attached.

Respectfully submitted.

/s/ Jonathan F. Mitchell
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Dated: June 21, 2021

*Counsel for Plaintiffs and
the Proposed Classes*

CERTIFICATE OF CONFERENCE

I certify that I have conferred with Benjamin Takemoto, counsel for the defendants, and he is unopposed to this motion.

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
*Counsel for Plaintiffs and
the Proposed Classes*

CERTIFICATE OF SERVICE

I certify that on June 21, 2021, I served this document through CM/ECF upon:

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Counsel for Defendants

/s/ Jonathan F. Mitchell
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*Counsel for Plaintiffs and
the Proposed Classes*

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[PROPOSED] ORDER GRANTING MOTION TO EXTEND TIME

The plaintiffs' unopposed motion to extend time to submit a reply brief in support of their motion for class certification is GRANTED. The plaintiffs shall submit their reply brief on or before June 23, 2021.

Dated: _____, 2021

REED O'CONNOR
UNITED STATES DISTRICT JUDGE