

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

DYLAN BRANDT, ET AL.,
Plaintiffs-Appellees,
v.
LESLIE RUTLEDGE, ET
AL.,
Defendants-Appellants.

On Appeal from the United States District Court
for the Eastern District of Arkansas
No. 4:21-cv-00450-JM
The Honorable James M. Moody, Jr., District Judge

**Plaintiffs-Appellees' Unopposed Motion for Extension of Time to File Response
to the Petition for Rehearing En Banc.**

Plaintiffs-Appellees respectfully request a 28-day extension of time to file their response to the petition for *en banc* review, which is currently due on October 17, 2022. Defendants-Appellants consent to this request.

The requested extension is the same as the two 14-day extensions that Defendants-Appellants previously requested to file their petition for *en banc* review that the Court granted on September 2, 2022 and September 26, 2022. Further, counsel for Plaintiffs-Appellees have conflicting professional obligations which justify an extension, including traveling to and preparing for the upcoming trial in this case before the district court beginning on October 17, 2022, which is expected to continue through October 28, 2022. Accordingly, a 28-day extension of the filing deadline—up to and

including November 14, 2022—would materially assist Plaintiffs-Appellees in preparing their response to the petition for *en banc* review.

Therefore, Plaintiffs-Appellees respectfully request that the Court grant this unopposed motion for a 28-day extension of the filing deadline for a response to the petition for *en banc* review.

Dated: October 7, 2022

/s/ Leslie Cooper

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CERTIFICATE OF COMPLIANCE

I certify that this motion complies with the type-volume limits of Fed. R. App. P. 27(d)(2)(A), because it contains 168 words, excluding the parts exempted by Fed. R. App. P. 32(f).

Pursuant to Fed. R. App. P. 27(d)(1)(E), I also certify that this motion complies with the requirements of Fed. R. App. P. 32(a)(5)-(6), because it has been prepared in proportionally spaced typeface with 14-point Times New Roman and uses the word-processing system Microsoft Word.

Additionally, pursuant to Eighth Circuit Local Rule 28A(h)(2), the undersigned counsel certifies that this PDF file was scanned for viruses, and no viruses were found on the file.

/s/ Laura Kabler Oswell
Laura Kabler Oswell

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2022, 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. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system. I further certify that upon approval by the Clerk, I will serve paper copies of the foregoing document to Defendants-Appellants by mailing a true and correct copy thereof to their attorneys of record at the address on file with the Clerk.

/s/ Laura Kabler Oswell _____

Laura Kabler Oswell