



**U.S. Department of Justice**  
Civil Division

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Tel: 202-514-1597

May 18, 2023

Lyle W. Cayce, Clerk  
United States Court of Appeals for the Fifth Circuit  
F. Edward Hebert Building  
600 S. Maestri Place  
New Orleans, LA 70130-3408

RE: *Braidwood Management, Inc. v. Becerra*, No. 23-10326 (5th Cir.)

Dear Mr. Cayce:

Pursuant to 5th Circuit Rule 31.4, the government requests a Level 1 extension of 14 days to file its opening brief in this case. The opening brief is currently due June 5, 2023. With the requested extension, the opening brief will be due June 19, 2023. This extension request is unopposed.

The requested extension is necessary because of the significance of the case and other deadlines faced by government counsel. Alisa Klein, who is a supervisor on this case, also has principal or supervisory responsibility for the following matters with upcoming deadlines: *Health Freedom Defense Fund v. Biden*, No. 22-11287 (11th Cir.) (supplemental brief due May 23); *Louisiana v. Becerra*, No. 22-30748 (5th Cir.) (reply brief due May 26). In addition, Ms. Klein supervised the recent en banc argument in *Wages & White Lion Investments, LLC v. FDA*, Nos. 21-60766 & 21-60800 (5th Cir.) (en banc argument heard on May 16). Michael Raab, who is also a supervisor on this case, has been out of the country on vacation since May 14 and will not return until May 23. Daniel Aguilar, who is the line attorney on this case, is also responsible for the following matters with upcoming deadlines: *Leachco Inc. v. Consumer Product Safety Commission*, No. 22-7060 (10th Cir.) (response to motion for injunction pending appeal due May 23); *Osmon v. United States*, No. 22-2045 (4th Cir.) (petition for rehearing en banc due June 2).

Plaintiffs' counsel has authorized us to indicate that they consent to the requested extension.

Sincerely,

/s/ Alisa B. Klein

Alisa B. Klein

Attorney

## CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2023, I electronically filed the foregoing letter with the Clerk of the United States Court of Appeals for the 5th Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

*/s/ Alisa B. Klein*

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Alisa B. Klein