

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

Braidwood Management Inc., et al.

Plaintiffs,

v.

Xavier Becerra, et al.,

Defendants.

Case No. 4:20-cv-00283-O

**MOTION FOR EXTENSION OF TIME FOR PLAINTIFFS TO FILE
RESPONSE TO MOTION FOR STAY PENDING APPEAL**

Under the Court's order of April 13, 2023, (ECF No. 122), the plaintiffs' response to the defendants' motion for stay pending appeal is due at 5:00 P.M. today. The plaintiffs respectfully request a 24-hour extension of this deadline, which would allow the brief to be filed by 5:00 P.M. tomorrow, April 18, 2023.

The plaintiffs are requesting this extension because their lead counsel, Jonathan F. Mitchell, has been traveling each of the last four days and has had briefing deadlines and responsibilities to his clients in other matters that he has been unable to move. On Friday, April 14, 2023, Mr. Mitchell had to file a response to a motion to extend the discovery deadline in *Little v. Llano County*, No. 1:22-cv-00424-RP (W.D. Tex.), a brief on which the district court in that case had previously granted a one-week extension. After filing that brief, Mr. Mitchell had to travel by plane both Saturday and Sunday, and today he must attend to legislative matters in the Texas Capitol on behalf of his legislator clients. Mr. Mitchell has begun working on the brief and expects to finish it late tonight after legislative business finishes for the day. Mr. Mitchell also works as a solo practitioner and is unable to delegate brief-writing or other tasks and responsibilities to colleagues or subordinates. This requested extension is not

sought for purposes of delay, but so that counsel will have sufficient time to prepare a response that will be helpful to the Court. We have e-mailed counsel for the defendants and they take no position on the motion.

CONCLUSION

The plaintiffs' motion for a 24-hour extension of time for filing the response to the defendants' motion for stay pending appeal should be granted.

Respectfully submitted.

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Dated: April 17, 2023

Counsel for Plaintiffs

CERTIFICATE OF CONFERENCE

I certify that I e-mailed Christopher M. Lynch, counsel for the defendants, and he informed me that the defendants take no position on the motion.

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I certify that on April 17, 2023, I served this document through CM/ECF upon:

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[PROPOSED] ORDER

The plaintiffs' motion for a 24-hour extension of time for filing the response to the defendants' motion for stay pending appeal is GRANTED. The plaintiffs shall file their response no later than 5:00 P.M. central time on Tuesday, April 18, 2023. The defendants shall file the reply brief no later than April 19, 2022.

Dated: _____

REED O'CONNOR
UNITED STATES DISTRICT JUDGE