

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

VICTOR LEAL et al.,

Plaintiffs-Appellants,

v.

No. 21-10302

XAVIER BECERRA et al.,

Defendants-Appellees.

**FEDERAL DEFENDANTS' UNOPPOSED MOTION
FOR A 30-DAY EXTENSION OF TIME IN
WHICH TO FILE A RESPONSE BRIEF**

The federal defendants respectfully request a 30-day (Level 1) extension, to and including **August 20, 2021**, to file a response brief. This request is unopposed.

1. On May 13, 2021, this Court granted plaintiffs-appellants' request for a 30-day extension of time to file their opening brief. The revised deadline for their opening brief was June 18, 2021. In light of the federal holiday on that date, however, their deadline was further extended to June 21, 2021. Plaintiffs timely filed their opening brief on that date.

2. The federal defendants' response brief is currently due July 21, 2021. The government has not previously sought an extension of its

briefing time in this matter. With the requested extension, the federal defendants' response brief would be due August 20, 2021.

3. The requested extension is necessary in light of counsel's obligations to the United States in other pending appellate litigation and to ensure adequate time to consult with counsel who handled the case in district court, as well as with the Departments of Health and Human Services, Labor, and the Treasury, and other components of the Justice Department. The attorneys with principal responsibility for preparing the government's brief are Karen Schoen and Michael Raab. Ms. Schoen is also responsible for other matters with pressing internal deadlines. Mr. Raab has supervisory responsibility for the following matters, among others: *Sabir v. Williams*, No. 19-3575 (2d Cir.) (reply brief due July 21, 2021, as extended); *Williams v. Sessions*, No. 19-2694 (3d Cir.) (response brief due July 28, 2021, as extended); and *Price v. Garland*, No. 21-5073 (D.C. Cir.) (opening brief due July 29, 2021, as extended).

4. We have contacted counsel for the other parties, who have informed us that they do not oppose this motion.

Respectfully submitted,

MICHAEL S. RAAB

/s/ Karen Schoen

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July 6, 2021

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g), I hereby certify that this motion complies with the requirements of Rule 27(d)(1)(E) because it has been prepared in 14-point Century Schoolbook, a proportionally spaced font, and that it complies with the type-volume limitation of Rule 27(d)(2)(A), because it contains 309 words, according to the count of Microsoft Word.

/s/ Karen Schoen
Karen Schoen

CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2021, I electronically filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the Fifth 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/ Karen Schoen
Karen Schoen