

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

STATE OF FLORIDA

Plaintiff,

v.

XAVIER BECERRA, Secretary of the  
Dep't of Health and Human  
Services, et al.,,

Defendants.

Case No. 8:21-cv-839

**UNOPPOSED MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO RESPOND TO THE MOTION FOR INTERVENTION**

Defendants Xavier Becerra, the Department of Health and Human Services, Rochelle Walensky, the Centers for Disease Control and Prevention, and the United States (collectively, "Defendants"), respectfully request an extension of time in which to respond to the State of Alaska's Motion to Intervene, ECF No. 8, up through and including May 7, 2021. Undersigned counsel has conferred with counsel for the State of Alaska, and the Movant consents to the relief requested.

This is the first request to extend this deadline and the request is support by good cause. The Motion to Intervene was filed April 20, 2021, before Defendants made an appearance in this matter and before any response to the

Complaint was due. *See* ECF No. 8. Under L.R. 3.01(c), a response to a motion would ordinarily be due 14 days after service. In light of the Plaintiff's Motion for a Preliminary Injunction, *see* ECF No. 9, the Court entered a Scheduling Order on April 23, 2021, directing Alaska to serve the motion by April 26, 2021, and for any party opposing to respond by noon on April 27, 2021. *See* ECF No. 12. With respect to the State of Florida's Motion for a Preliminary Injunction, the Court directed Defendants to respond by May 5, 2021, and set a hearing for May 12, 2021. *Id.*

Defendants intend to respond to the Motion to Intervene but need more time in which to do so thoroughly. The Motion to Intervene raises issues with respect to Alaska's standing to seek relief, its right to intervene under Fed. R. Civ. P. 24(a), and the propriety of permissive intervention under Fed. R. Civ. P. 24(b). And Defendants' counsel is, at the same time, preparing an opposition to Plaintiff's Motion for a Preliminary Injunction on multiple complex legal grounds. Defendants have consented to the State of Alaska's participation in the injunction briefing as an amicus, such that it is not necessary to resolve the Motion to Intervene in order to determine whether Alaska can be heard on the Motion for a Preliminary Injunction. This approach allows Defendants to thoroughly consider and brief both the preliminary injunction and the propriety of intervention in a timely and complete manner.

Local Rule 3.01(g) Certification

Undersigned counsel conferred with counsel for the State of Alaska, which consents to the relief requested herein.

Dated: April 26, 2021

Respectfully submitted,

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