

retain undersigned counsel, and undersigned counsel were retained the same day and filed appearances in this Court. ECF No. 38.

4. Heather Hacker has been out of the state since July 21, 2021 and will be on previously scheduled family vacation until August 9, 2021.
5. In addition, undersigned counsel is preparing for a previously scheduled trial in Winkler County, Texas on August 11, 2021.
6. Because of these previously scheduled commitments, undersigned counsel requests a brief extension, until August 13, 2021, to file a responsive pleading.
7. The modest requested extension is not for purposes of delay, but to allow undersigned counsel time to prepare a responsive pleading that is helpful to the Court in light of previously scheduled commitments. Counsel believes there are significant jurisdictional issues that bar Plaintiffs' claims against Ms. Clarkston and counsel needs adequate time to review the voluminous pleadings filed and prepare a responsive pleading.
8. Undersigned counsel understands that Plaintiffs are seeking summary judgment from this Court before September 1, 2021, but counsel notes that Plaintiffs waited until July 13, 2021 to file this lawsuit, even though the law being challenged was signed by Governor Abbott on May 19, 2021.
9. Undersigned counsel conferred with Plaintiffs' counsel Marc Hearn about this motion on July 30, 2021. Mr. Hearn stated that Plaintiffs are opposed to this extension.

CONCLUSION

Defendant Penny Clarkston respectfully requests a brief extension, until August 13, 2021, to file a responsive pleading in this case.

Respectfully submitted.

/s/ Andrew B. Stephens

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CERTIFICATE OF SERVICE

I certify that on July 30, 2021, this document was served through the Court's CM/ECF Document Filing System or through electronic mail, upon all counsel of record.

/s/ Andrew B. Stephens
ANDREW B. STEPHENS