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**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

Mark Brnovich, in his official capacity as  
Attorney General of Arizona; *et al.*,

Plaintiffs,

v.

Joseph R. Biden in his official capacity as  
President of the United States; *et al.*,

Defendants.

No. 2:21-cv-01568-MTL

**STATE PLAINTIFFS'  
UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO  
RESPOND TO MOTION TO  
DISMISS**

**(First Request)**

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Pursuant to LRCiv 7.3, Plaintiffs Mark Brnovich, in his official capacity as Attorney General of Arizona, and the State of Arizona (the “State Plaintiffs”) hereby respectfully move for a 14-day extension of time to file a response to the Federal Defendants’ Motion to Dismiss counts 9 to 13 of the Third Amended Complaint. (Doc. 146.)

Pursuant to the parties’ prior stipulation and also pursuant to LRCiv 12.1(b), the response of the State Plaintiffs is due on February 2, 2022. However, lead counsel on this matter, as well as all the members of his household, have fallen ill, making it difficult for the State to prepare its response by the deadline. If the Court were to grant the requested 14-day extension, then the State Plaintiffs’ Response would be due on February 16, 2022.

The State Plaintiffs have consulted counsel for the Federal Defendants, and they do not oppose this motion, with the proviso that they request a commensurate extension to March 4, 2022 (accounting for President’s day) to file their corresponding reply. Plaintiffs consent to this request.

RESPECTFULLY SUBMITTED this 26th day of January, 2022.

**MARK BRNOVICH**  
**ATTORNEY GENERAL**

By: /s/ James K. Rogers  
Joseph A. Kanefield (No. 15838)  
Brunn W. Roysden III (No. 28698)  
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*Attorneys for Plaintiffs Mark Brnovich and the State of Arizona*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 26th day of January, 2022, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the District of Arizona using the CM/ECF filing system. Counsel for all Defendants who have appeared are registered CM/ECF users and will be served by the CM/ECF system pursuant to the notice of electronic filing.

*/s/ James K. Rogers*  
*Attorney for Plaintiffs Mark Brnovich, in his official capacity as Attorney General of Arizona; and the State of Arizona*

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**UNITED STATES DISTRICT COURT  
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v.

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Defendants.

No. 2:21-cv-01568-MTL

**[PROPOSED] ORDER**

1           Having considered the State Plaintiffs' Unopposed Motion for Extension of Time  
2 to Respond to Motion to Dismiss, **IT IS HEREBY ORDERED** granting the motion.

3           **IT IS FURTHER ORDERED** that:

4           1. The State Plaintiffs' deadline for filing a response to the Federal Defendants'  
5 Motion to Dismiss (Doc. 146) is hereby extended to February 16, 2022.

6           2. The Federal Defendants' deadline to file their corresponding reply is hereby  
7 extended to March 4, 2022.

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