

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

No. 13-16684

CENTER FOR BIOLOGICAL DIVERSITY, *et al.*

Appellants,

v.

UNITED STATES FOREST SERVICE,

Appellee.

**UNOPPOSED MOTION FOR 7-DAY EXTENSION OF TIME TO
FILE REPLY BRIEF**

APPEAL FROM JULY 2, 2013 DECISION AND ORDER OF THE UNITED
STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

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Plaintiffs-Appellants Center for Biological Diversity, Sierra Club, and Grand Canyon Wildlands Council (collectively “the Center”) move this Court, pursuant to Federal Rules of Civil Procedure 26(b) and 27, for a seven (7) day extension of time to file their reply brief in the above-captioned appeal. The Center’s reply brief currently is due on March 14, 2014, as a result of its having received a 30-day extension using the Court’s streamlined procedure. *See* Docket No. 30. For the reasons set forth herein, the Center respectfully requests an additional seven (7) day extension of the filing date, to and including March 21, 2014. Defendant-Appellee United States Forest Service does not oppose this motion.

Pursuant to Federal Rule of Appellate Procedure 26(b) this Court may extend the time to file “for good cause.” Such good cause exists here because of the competing litigation obligations, and other professional obligations, of the Center’s counsel. Counsel have been diligently working on the reply brief as time has permitted. Over the last several weeks, however, undersigned counsel has had numerous obligations, including a significant opening brief in a case in the U.S. Court of Appeals for the Second Circuit, the need to respond to an unanticipated motion in a federal district court case in Oregon, as well as travel pertaining to counsel’s role as a Clinical Professor of Law. Moreover, Kevin Cassidy, the Center’s lead counsel on this appeal, has had and will continue for the next several weeks to have, significant competing litigation obligations in several cases. These

obligations include, *inter alia*, depositions in Los Angeles during the weeks of February 3rd and February 10th; a Supplemental Response in Opposition to Defendants' Motion for Partial Summary Judgment in the same case in the Central District of California, filed on March 3, 2014; a Motion to Compel in a Massachusetts Land Court case, due on March 7, 2014; a Response in Opposition to Motions for Protective Orders in the same Massachusetts Land Court case, due on March 12, 2014; and oral argument on two Motions for Partial Summary Judgment in the Central District of California on March 17, 2014.

As a result of the need to balance these competing obligations, counsel for the Center have not had adequate time to complete their reply brief. Thus, the Center hereby seeks a modest extension of seven days, up to and including March 21, 2014, for filing its final brief in this matter.

Dated this 7th day of March, 2014.

Respectfully submitted

/s/ Allison LaPlante

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on March 7, 2014.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated this 7th day of March, 2014.

/s/ Allison LaPlante
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