

17-56081

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

VIRGINIA DUNCAN, et al.,

Plaintiffs and Appellees,

v.

**XAVIER BECERRA, in his official
capacity as Attorney General of the State of
California,**

Defendant and Appellant.

On Appeal from the United States District Court
for the Southern District of California

No. 17-cv-1017-BEN-JLB
The Honorable Roger T. Benitez, Judge

**DECLARATION OF COUNSEL IN SUPPORT
OF UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE APPELLANT'S OPENING
BRIEF**

XAVIER BECERRA
Attorney General of California
THOMAS S. PATTERSON
Senior Assistant Attorney General
TAMAR PACHTER
Supervising Deputy Attorney General
NELSON R. RICHARDS
ANTHONY P. O'BRIEN
Deputy Attorneys General

ALEXANDRA ROBERT GORDON
Deputy Attorney General
State Bar No. 207650
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5509
Fax: (415) 703-5480
Email:
Alexandra.RobertGordon@doj.ca.gov
Attorneys for Defendant-Appellant

I, Alexandra Robert Gordon, declare under penalty of perjury as follows:

I am a Deputy Attorney General for the State of California and represent defendant-appellant Attorney Xavier Becerra in this appeal.

Appellant's opening brief is currently due on September 22, 2017. I request an additional extension of 20 days, to and including October 12, 2017, in which to file the opening brief in this case.

I have sought one previous extension. I have spoken to counsel for plaintiff-appellee, Anna M. Barvir, and she has no objection to this extension of time request.

I am unable to meet the current deadline for filing the opening brief because my husband has suffered an injury and requires orthopedic surgery to repair his shoulder. His surgery is currently scheduled for September 15, 2017. I am his primary caregiver and will need to be out of the office for at least ten days starting on September 15. I already have had to miss a fair amount of work due to his medical appointments and need for care. It is not my usual practice to request multiple extensions, but given these unforeseen circumstances, the additional time will permit me to best serve the Court by adequately addressing the issues in this appeal.

I therefore respectfully request that this Court grant me an additional extension of 20 days, to and including October 12, 2017, in which to file the opening brief.

Executed at San Francisco, California, on September 6, 2017.

/s/ Alexandra Robert Gordon

ALEXANDRA ROBERT GORDON
Deputy Attorney Gen

