1   XAVIER BECERRA
     Attorney General of California
2   MARK R. BECKINGTON
     Supervising Deputy Attorney General
3   P. PATTY LI
     Deputy Attorney General
4   PETER H. CHANG
     State Bar No. 241467
5   455 Golden Gate Avenue, Suite 11000
     San Francisco, CA 94102-7004
6   Telephone: (415) 510-3776
     Fax: (415) 703-1234
7   E-mail: Peter.Chang@doj.ca.gov
   Attorneys for Defendants Gavin Newsom, in
8   *his official capacity as Governor and Sonia Y.*
   Angell, in her official capacity as
9   *California Public Health Officer*

10   IN THE UNITED STATES DISTRICT COURT

11   FOR THE CENTRAL DISTRICT OF CALIFORNIA

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ADAM BRANDY; ET AL.,	2:20-cv-02874-AB-AK
Plaintiffs,	**STATE DEFENDANTS' EX PARTE APPLICATION TO EXTEND TIME TO RESPOND TO FIRST AMENDED COMPLAINT BY 12 DAYS**
v.	
ALEX VILLANUEVA; ET AL.,	JUDGE: Hon. André Birotte Jr.
Defendants.	Complaint Served: April 2, 2020
	Current response date: June 24, 2020
	Proposed response date: July 6, 2020

1   PLEASE TAKE NOTICE that Defendants Gavin Newsom, California

2   Governor, and Sonia Y. Angell, California Public Health Officer (collectively, the

3   "State Defendants") hereby apply to this Court for an order to extend the time for

4   State Defendants to respond to Plaintiffs' First Amended Complaint by 12 days, to

5   and including July 6, 2020.

6   Plaintiffs had previously agreed that a response to the First Amendment

7   Complaint would not be necessary because they intended to further amend the

8   complaint. The parties subsequently entered into two stipulations to extend the

9   time for State Defendants to respond to the First Amendment Complaint so that

10 Plaintiffs would have sufficient to prepare the amended complaint and to seek

11 leave to file it, if necessary. Under the second stipulation to extend, the State

12 Defendant's response to the First Amended Complaint was due on June 24, 2020.

13   The parties had also begun to engage in discussions about settlement by way

14 of a stipulation of dismissal. The parties continued to discuss settlement until the

15 afternoon of June 22, 2020, after which time counsel for Plaintiffs stopped

16 responding to communications from counsel for State Defendants. On June 23,

17 2020, having receiving no response from counsel for Plaintiffs, counsel for State

18 Defendants contacted counsel for Plaintiffs again about settlement discussions, or a

19 further stipulation to extend time by 12 days to either finalize any settlement, or to

20 provide sufficient time for the parties to meet and confer under Local Rule 7-3

21 about a motion to dismiss, and for the State Defendants to file that motion, if

22 necessary. Plaintiffs' counsel did not respond to State Defendants' counsel's

23 request for a stipulation to extend time.

24   Counsel for State Defendants provided notice of this application to counsel

25 for Plaintiffs by voicemail and email at or around noon on June 25, 2020, to which

26 counsel for Plaintiffs has not responded as of the time of the filing of this

27 application.

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1   The application is based on the accompanying Memorandum and declaration

2   filed concurrently herewith, as well as all records on file in this action.

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4   Dated: June 26, 2020   Respectfully submitted,

5   Xavier Becerra
                                           Attorney General of California
6   Mark R. Beckington
                                           Supervising Deputy Attorney General
7

8   /s/ Peter H. Chang
9   Peter H. Chang
                                           Deputy Attorney General
10   *Attorneys for Defendants Gavin Newsom, in*
                                           his official capacity as Governor and Sonia
11   *Y. Angell, in her official capacity as*
                                           California Public Health Officer
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