

No. 22-1478

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**In the  
United States Court of Appeals  
for the First Circuit**

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STEFANO GRANATA, et al.,

*Plaintiffs–Appellants,*

v.

MAURA HEALEY, et al.,

*Defendants–Appellees.*

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Appeal from the United States District Court  
for the District of Massachusetts  
The Honorable Rya W. Zobel  
Case No. 1:21-CV-10960-RWZ

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**MOTION FOR EXTENSION OF TIME TO FILE PLAINTIFFS-  
APPELLANTS' OPENING BRIEF; DECLARATION OF  
RAYMOND M. DIGUISEPPE**

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TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

Under Rule 26(b) of the Federal Rule of Appellate Procedure and the Rulebook of the United States Court of Appeals for the First Circuit, Plaintiffs-Appellants respectfully request a 30-day extension of time to file Plaintiffs-Appellants' Opening Brief, up to and including October 12, 2022, with the due dates of the Appellees' Brief and Reply Brief extended correspondingly. Substantial need and good cause for the extension are set forth in the attached declaration of counsel. DiGuiseppe Decl. ¶¶ 4-8.

Plaintiffs-Appellants have not been granted any previous extensions of time. DiGuiseppe Decl. ¶ 2. Defendants-Appellees' counsel, Timothy J. Casey, has stated that he has no objection to Plaintiffs' seeking an extension of time from the current due date. DiGuiseppe Decl. ¶ 3.

WHEREFORE, Plaintiffs-Appellants respectfully request that this Court grant an extension of time up to and including October 12, 2022, in which to file the Opening Brief, with the due dates for the Appellees' Brief and Reply Brief extended correspondingly.

Dated: September 6, 2022

Respectfully submitted,  
/s/ Raymond M. DiGuiseppe

*Counsel for Plaintiffs-Appellants*

## DECLARATION OF RAYMOND M. DIGUISEPPE

I, Raymond M. DiGuiseppe, declare under penalty of perjury as follows:

1. I am an attorney at The DiGuiseppe Law Firm, P.C. and represent Plaintiffs-Appellants Stefano Granata, et al., in this appeal.

2. Plaintiffs-Appellants' Opening Brief in this case is currently due September 12, 2022, with no previous time extensions. On behalf of Plaintiffs-Appellants, I request an extension of 30 days, up to and including October 12, 2022, in which to file the Opening Brief.

3. Defendants-Appellees' counsel, Timothy J. Casey, previously stated in an email to me that he would have no objection to Plaintiffs' seeking an extension of time from the current due date.

4. I am lead counsel in several other matters involving challenges to firearms regulations on Second Amendment grounds, the adjudication of which have been significantly impacted by the United States Supreme Court's recent decision in *New York State Rifle & Pistol Association, Inc. v. Bruen*, \_\_ U.S. \_\_, 142 S.Ct. 211 (2022) ("*Bruen*"), resulting in a substantial amount of additional time-sensitive work.

5. In *McDougall v. County of Ventura*, 9th Circuit Court of Appeals Case No. 20-56220, and *Martinez v. Villanueva*, 9th Circuit Court of Appeals Case No. 20-56233, this Court has remanded the cases back to the district court for further proceedings in light of *Bruen*. The district courts in *Renna v. Bonta*, SD Cal. Case No. 3:20-cv-02190, and *Bassett v. Slatery*, ED Tenn. Case No. 3:21-cv-152, have ordered the filing of an amended complaint in light of *Bruen*, and the district court in *Nguyen v. Bonta*, SD Cal. Case No. 3:20-cv-02470, has ordered the parties to file supplemental briefs and present additional evidence in light of *Bruen's* impact on the pending cross-motions for summary judgment.

6. I have completed the amended complaint in *Renna* (filed August 22), and I am currently working on the amended complaint in *Bassett* (due September 6) as well as the supplemental briefing in *Nguyen* (due September 16). Additionally, I am lead counsel in the California Supreme Court case of *People v. Mumin*, Case No. S271049, a complex criminal appellate matter in which I was required to prepare and file the reply brief on the merits by no later than August 26, which I have done.

7. The work in *Renna* and *Mumin* alone consumed a significant amount of time over the last month, and the work in *Bassett* and *Nguyen*

will similarly require a significant time to complete over the next month. There will also be further proceedings in *McDougall* and *Martinez* over the next month: the parties must file briefs by September 12 stating their respective positions as to how the case should proceed in light of *Bruen*, and the parties must commence a mediation process in *Martinez*.

8. Furthermore, in this case, Plaintiffs just filed today a motion for vacatur and remand for further proceedings in light of *Bruen*. Thus, the requested extension is also necessary to ensure adequate time for the Court to rule on that motion before the Opening Brief comes due, since a grant of that motion would obviate briefing on the merits.

9. For these reasons, good cause exists for the requested extension of time to ensure adequate time for resolution of the motion for vacatur and remand and for the proper preparation of the Opening Brief should the motion be denied and the case be briefed on the merits.

10. Therefore, I respectfully request that this Court grant an extension of 30 days, up to and including October 12, 2022, in which to file Plaintiffs-Appellants' Opening Brief.

Executed this 6th day of September 2022.

/s/ Raymond M. DiGuiseppe  
Counsel for Plaintiffs-Appellants

## CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2022, an electronic PDF of the foregoing document was uploaded to the Court's CM/ECF system, which will automatically generate and send by electronic mail a Notice of Docket Activity to all registered attorneys participating in the case. Such notice constitutes service on those registered attorneys. No privacy redactions were necessary.

Dated this 6th day of September 2022.

/s/ Raymond M. DiGuiseppe  
Raymond M. DiGuiseppe