

No. 22-1478

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

STEFANO GRANATA, et al.,

Plaintiffs–Appellants,

v.

MAURA HEALEY, et al.,

Defendants–Appellees.

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

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

RAYMOND M. DIGUISEPPE
THE DIGUISEPPE LAW FIRM, P.C.
4320 Southport-Supply Road
Suite 300
Southport, NC 28461
910-713-8804
law.rmd@gmail.com

Counsel for Plaintiffs–Appellants

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 November 11, 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.

Plaintiffs-Appellants have been granted one previous extension of time, as necessary based on counsel's other time-sensitive work obligations and to ensure adequate time for the Court to rule on Plaintiffs-Appellants' motion for vacatur and remand of the matter that would obviate briefing on the merits if granted. DiGuiseppe Decl. ¶ 2. That motion is now fully briefed and is still pending the Court's ruling.

WHEREFORE, Plaintiffs-Appellants respectfully request that this Court grant an extension of time up to and including November 11, 2022, in which to file the Opening Brief, with the due dates for the Appellees' Brief and Reply Brief extended correspondingly.

Dated: October 10, 2022

Respectfully submitted,
/s/ Raymond M. DiGuiseppe

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 October 12, 2022, with one previous time extension.

3. A primary reason for the previous time extension request was to accommodate the practical reality that Plaintiffs-Appellants' motion for vacatur and remand of this matter would, if granted, obviate the need for the parties to brief and for the Court to adjudicate this appeal.

4. The motion was filed on September 6, 2022. Defendants-Appellees filed an opposition to the motion on September 16, 2022. Plaintiffs-Appellants filed a reply to that opposition on September 22, 2022. Therefore, the motion has been fully briefed.

5. As of this time, the motion remains pending adjudication. Because a grant of the motion would spare the parties and the Court the significant time and resources otherwise required to proceed here, a further time extension is necessary to permit adjudication of the motion

and avoid a potentially unnecessary consumption of such time and resources before Plaintiffs-Appellants proceed with the preparation of the Opening Brief and the preparation of the related appendix.

6. The requested time extension is likewise necessary to ensure adequate time to properly prepare the Opening Brief and the appendix should this Court deny the motion and order this appeal to proceed.

7. 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 and the related appendix should the motion ultimately be denied.

8. Therefore, I respectfully request on behalf of Plaintiffs-Appellees that the Court grant an extension of 30 days, up to and including November 11, 2022, in which to file the Opening Brief.

Executed this 10th day of October 2022.

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

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 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 10th day of October 2022.

/s/ Raymond M. DiGuiseppe
Raymond M. DiGuiseppe