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

UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE PLAINTIFFS-APPELLANTS' REPLY 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' Reply Brief, up to and including March 22, 2023. Substantial need and good cause for the extension are set forth in the attached declaration of counsel. DiGuiseppe Decl. ¶¶ 4-6.

Plaintiffs-Appellants have not yet been granted any extensions of time for this brief. DiGuiseppe Decl. ¶ 2. Plaintiffs-Appellants' counsel has conferred with Defendants-Appellees' counsel, Timothy J. Casey, who has assented to this requested extension of time. DiGuiseppe Decl. ¶ 3.

WHEREFORE, while Plaintiffs-Appellants will endeavor to complete and file the brief as soon as practicable, they respectfully request an extension of time up to and including March 22, 2023, in which to do so.

Dated: February 11, 2023

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' Reply Brief in this case is currently due on February 20, 2023, with no previous time extensions. On behalf of Plaintiffs-Appellants, I respectfully request an extension of 30 days, up to and including March 22, 2023, in which to file the Reply Brief.

3. I have conferred with Defendants-Appellees' counsel, Timothy J. Casey, by email and he has assented to this request.

4. Defendants-Appellees' principal brief was filed on January 30, 2023. The brief and attached exhibits span 165 pages. Two other parties (Everytown for Gun Safety and the Giffords Law Center) tendered amicus curiae briefs on February 6, 2023, in support of Defendants-Appellees. Analyzing the points, authorities, and other resources cited in these three briefs, and preparing a reply brief that best assists the Court in resolving this matter, will require a substantial amount of time.

5. Since these briefs were filed, I have been preoccupied by other time-sensitive matters, including the reply brief in a pending motion for preliminary injunction or alternatively summary judgment in *Renna v. Becerra*, S.D.Cal. case no. 3:20-cv-02190, filed February 3, 2023, and the reply brief in *Palmer v. Sisolak*, Ninth Circuit case no. 22-15645, filed February 10, 2023. I am also appellate counsel in *People v. McDavid*, California Supreme Court case no. S275940, in which the opening brief is due March 6, 2023. The deadline for the opening brief has already been extended multiple times, so I must prioritize completion of that brief.

6. I must also manage case work obligations in several other matters over the next month (e.g., discovery plans, scheduling and settlement conferences, record review and brief-writing, etc.). However, once the *McDavid* brief is complete, I will be able to focus more exclusively on this case and file it by the new due date being requested. Given the extent of the briefing that needs to be addressed in the reply and the need to allow adequate time for the clients and co-counsel to review and comment on the draft reply brief, it could take up to 30 days beyond the current deadline to complete, finalize, and file the brief.

7. For these reasons, good cause exists for the requested extension of time to ensure adequate time for the proper preparation and timely filing of a reply brief that best assists the Court in its analysis.

8. Therefore, I respectfully request that this Court grant an extension of 30 days, up to and including March 22, 2023, in which to file Plaintiffs-Appellants' Reply Brief.

Executed this 11th day of February 2023.

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

CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2023, 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 11th day of February 2023.

/s/ *Raymond M. DiGuiseppe*
Raymond M. DiGuiseppe