

1 JEFFREY BOSSERT CLARK
Acting Assistant Attorney General
2 ERIC R. WOMACK
Assistant Director, Federal Programs Branch
3 JOSEPH E. BORSON (Va. Bar No. 85519)
KUNTAL CHOLERA
4 ALEXIS ECHOLS
DENA M. ROTH
5 Trial Attorney, Federal Programs Branch
1100 L Street, NW
6 Washington, D.C. 20005
(202) 514-1944
7 joseph.borson@usdoj.gov
Attorneys for Defendants

8
9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF WASHINGTON**
11 **AT YAKIMA**

12 STATE OF WASHINGTON, STATE OF
13 COLORADO, STATE OF CONNECTICUT,
STATE OF ILLINOIS, STATE OF
14 MARYLAND, STATE OF MICHIGAN,
15 STATE OF MINNESOTA, STATE OF
NEVADA, STATE OF NEW MEXICO,
16 STATE OF OREGON, STATE OF RHODE
ISLAND, STATE OF VERMONT,
17 COMMONWEALTH OF VIRGINIA, and
18 STATE OF WISCONSIN,

19 Plaintiffs,

20 v.

21
22 DONALD J. TRUMP, in his official capacity
as President of the United States of America;
23 UNITED STATES OF AMERICA; LOUIS
24 DEJOY, in his official capacity as Postmaster
General; UNITED STATES POSTAL
25 SERVICE,

26 Defendants.
27
28

NO. 1:20-cv-03127-SAB

DEFENDANTS' UNOPPOSED
MOTION FOR EXTENSION OF
TIME TO RESPOND TO
COMPLAINT

NOTING DATE: October 16, 2020
Without Oral Argument

UNOPPOSED MOTION FOR EXTENSION OF TIME
TO RESPOND TO COMPLAINT

Pursuant to Federal Rule of Civil Procedure 6(b), Defendants hereby move the Court to extend Defendants’ deadline for answering or moving to dismiss Plaintiffs’ Complaint seven days, from October 19, 2020 to October 26, 2020. As this Court is aware, the Postal Service is currently a defendant in numerous lawsuits throughout the country related to its policies for the processing of election mail. These litigations require the dedication of significant resources on multiple tasks, including the implementation of multiple preliminary injunction provisions that include periodic reporting requirements.¹ The Postal Service is also currently subject to an ongoing expedited discovery process.² Undersigned counsel have also been informed that another motion for a preliminary injunction will imminently be filed in *1199SEIU v. DeJoy*, No. 20-cv-24069 (S.D. Fla.).

The requested extension will not prejudice Plaintiffs because the Court has already issued a preliminary injunction governing Defendants’ conduct, as requested by Plaintiffs. Defendants have conferred with Plaintiffs, and Plaintiffs do not object to Defendants’ requested extension.

¹ See, e.g., *Pennsylvania v. DeJoy*, 20-cv-4096, ECF No. 63 (E.D. Pa. Sept. 28, 2020), as modified by ECF No. 70; *Jones v. USPS*, 20-cv-6516, ECF No. 57 (S.D.N.Y. Sept. 25, 2020), as modified by ECF No. 66; *Washington v. Trump*, 20-cv-3127, ECF No. 81 (E.D. Wash. Sept. 17, 2020), as modified by ECF No. 90.

² See *Vote Forward v. DeJoy*, 20-cv-2405, Minute Order (D.D.C. Oct. 2, 2020); *New York v. Trump*, 20-cv-2340, Minute Order (D.D.C. Oct. 2, 2020).

1 Dated: October 16, 2020

Respectfully submitted,

2 JEFFREY BOSSERT CLARK
3 Acting Assistant Attorney General

4 ERIC R. WOMACK
5 Assistant Director, Federal Programs Branch

6 */s/ Joseph E. Borson*
7 JOSEPH E. BORSON (Va. Bar No. 85519)
8 KUNTAL CHOLERA
9 ALEXIS ECHOLS
10 DENA M. ROTH
11 Trial Attorneys
12 U.S. Department of Justice
13 Civil Division, Federal Programs Branch
14 1100 L. Street, NW
15 Washington D.C. 20005
16 (202) 514-1944
17 Joseph.Borson@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of October, I electronically filed the foregoing Motion for Extension of Time with the Clerk by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

Dated: October 16, 2020

By: /s/ Joseph E. Borson
Joseph E. Borson

Counsel for Defendants