

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**Commonwealth of Pennsylvania, State of
California, State of Delaware, District of
Columbia, State of Maine, Commonwealth of
Massachusetts, and State of North Carolina,**

Plaintiffs,

v.

**Louis DeJoy, in his official capacity as
United States Postmaster General, Robert M.
Duncan, in his official capacity as Chairman
of the Postal Service Board of Governors,
and the United States Postal Service,**

Defendants.

Case No. 20-cv-4096

**MOTION FOR EXTENSION OF TIME
TO RESPOND TO COMPLAINT**

Pursuant to the Court’s “Guidelines for Counsel”¹ and F.R.C.P. 6(b), Defendants hereby move the Court to extend Defendants’ deadline for answering or moving to dismiss Plaintiffs’ Complaint from October 20, 2020 to December 4, 2020. As this Court is aware, the Postal Service is currently a defendant in numerous lawsuits throughout the country relating 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 which include periodic reporting requirements.² The Postal Service is also currently subject to an ongoing

¹ <https://www.paed.uscourts.gov/documents/procedures/mchpol.pdf>.

² 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.

expedited discovery process.³ Furthermore, undersigned counsel also has deadlines approaching in other cases, including a discovery brief deadline on October 27, 2020 and a summary judgment brief deadline on November 25, 2020. The requested extension will not prejudice Plaintiffs because the Court has already issued a preliminary injunction governing Defendants' handling of election mail, as requested by Plaintiffs.

Defendants have conferred with Plaintiffs, and Plaintiffs do not object to Defendants' requested extension.

Dated: October 15, 2020

Respectfully submitted,

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/s/ Kuntal Cholera
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³ 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).

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[Proposed] Order

IT IS HEREBY ORDERED that Defendants' Motion for Extension of Time to Respond to Plaintiffs' Complaint is **GRANTED**. Defendants shall respond to Plaintiffs' Complaint on or before December 4, 2020.

It is **SO ORDERED** this ____ day of _____, 2020.

The Honorable Gerald A. McHugh
United States District Judge