

**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"<sup>1</sup> 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 December 4, 2020 to December 18, 2020. As this Court is aware, the Postal Service previously requested, and this Court previously granted, an extension to the Answer deadline based on the Postal Service's pending obligations in numerous lawsuits throughout the

---

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

country.<sup>2</sup> Most of these lawsuits remain active, and the Postal Service is involved in additional expedited discovery in two of these lawsuits.<sup>3</sup>

Furthermore, the parties in this litigation are currently conferring over a schedule for remaining proceedings, and are scheduled to have a conference before the Court on December 3, 2020 to discuss the same. An extension of the Answer deadline is justified in light of the Postal Service's competing obligations in the related litigations, and it would allow the parties to incorporate the Answer deadline into any proposed schedule for remaining proceedings. The requested extension will not prejudice Plaintiffs because the Court has already issued a preliminary injunction, and the principal motivation behind the preliminary injunction, the November 2020 Election, has now passed.

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

Dated: November 25, 2020

Respectfully submitted,

JEFFREY BOSSERT CLARK  
Acting Assistant Attorney General

ERIC WOMACK  
Assistant Branch Director, Federal Programs Branch

/s/ Kuntal Cholera  
KUNTAL V. CHOLERA

---

<sup>2</sup> 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.

<sup>3</sup> November 19 Minute Order, *Vote Forward v. DeJoy*, 20-cv-2405 (D.D.C. Nov. 19, 2020); November 19 Minute Order, *NAACP v. USPS*, 20-cv-2295 (D.D.C. Nov. 19, 2020).

Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, NW  
Washington, D.C. 20005  
kuntal.cholera@usdoj.gov

*Attorneys for Defendants*

**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

**[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 18, 2020.

It is **SO ORDERED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

The Honorable Gerald A. McHugh  
United States District Judge