



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

October 13, 2020

BY ECF AND ELECTRONIC MAIL

Hon. Victor Marrero, United States District Judge
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: *Jones et al. v. United States Postal Service et al.*, No. 20 Civ. 6516 (VM)

Dear Judge Marrero:

This Office represents the defendants in the above-referenced case. We write respectfully to request a forty-five-day extension, from October 19, 2020, until December 3, 2020, of Defendants' time to respond to Plaintiffs' Second Amended Complaint. This is Defendants' first request for an extension of this deadline. We have conferred with counsel for Plaintiffs, who consent to this request.

Defendants seek this extension for two reasons. First, Plaintiffs' claims in this matter are tied to their constitutional rights relating to the November 2020 Election, and the Court has already entered a preliminary injunction, the provisions of which will generally be in force through the remainder of the 2020 Election Season. *See* Dkt. No. 57. An extension of Defendants' deadline to respond to the Second Amended Complaint until December 3, 2020, will allow the parties time to determine whether further litigation of any issues in the Second Amended Complaint (as opposed to any issues that Plaintiffs might wish to raise in the interim regarding Defendants' compliance with the preliminary injunction) is necessary, and what the contours of any additional litigation might be after the Election. Accordingly, the requested extension would serve the Court's and the parties' interests in efficiently resolving the present matter. Second, the Postal Service is focused now on improving service and ensuring the expeditious delivery of Election Mail, as well as handling the continuing litigation of nearly a dozen other similar lawsuits. Responding to the Second Amended Complaint in this suit in the next several weeks—which would not substantially advance this matter—would impose an unnecessary additional burden on the Postal Service, which can and should be deferred until after Election Season without prejudicing any party.

We thank the Court for its consideration of this request.

Respectfully,

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Attorney for Defendants

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