

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DONALD J. TRUMP FOR	:	
PRESIDENT, INC., et al,	:	CIVIL ACTION
	:	
Plaintiffs,	:	No. 4:20-cv-02078
	:	
v.	:	Judge Brann
	:	
KATHY BOOCKVAR, et al,	:	
	:	
Defendants	:	

**PLAINTIFFS’ MOTION FOR CONTINUANCE OF
ORAL ARGUMENT AND HEARING ON MOTIONS TO DISMISS AND
MOTION FOR TEMPORARY RESTRAINING ORDER**

COME NOW Plaintiffs, by their undersigned counsel, and respectfully request a continuance of the scheduled oral argument and hearing on the Defendants’ Motions to Dismiss and on Plaintiffs’ Motion for Temporary Restraining Order, and in support therefor aver the following:

1. On November 10, 2020, this Honorable Court issued an order scheduling oral argument on Tuesday, November 17, 2020 at 1:30 PM and an evidentiary hearing on Thursday, November 19, 2020 at 10:00 AM on the Defendants’ Motions to Dismiss and on Plaintiffs’ Motion for Temporary Restraining Order with both events to occur in Courtroom No. 1, Fourth Floor, United States Courthouse and Federal Building, Williamsport, PA 17701.

2. On November 16, 2020, Plaintiffs have retained the firm of Scaringi Law and the undersigned counsel to serve as lead attorneys in the above-captioned matter. Prior lead counsel Porter, Wright, Morris & Author, LLC was granted leave to withdraw on Friday, November 13, 2020.

3. Having only been retained today, Plaintiffs' new counsel need additional time to adequately prepare this case for the upcoming oral argument and evidentiary hearing. Furthermore, this is a case of significant complexity and importance to the people of the United States of America. And, further, the court record compiled in such a short period of time already contains 148 docket entries by Plaintiffs, multiple Defendants and multiple Intervenor Defendants

4. Current counsel, Linda Kerns, Esq., is expected to file a motion for leave to withdraw her appearance.

5. There is pending before the Court a motion by the Plaintiffs to compel discovery in this case.

6. Further, Plaintiffs intend to file a motion for expedited discovery in this case.

7. There is pending before the Court a motion by certain witnesses to quash subpoenas which Plaintiffs have served on them to appear and testify at the hearing on Plaintiffs' Motion for Temporary Restraining Order, now scheduled for Thursday, November 19, 2020.

8. Plaintiffs will file a motion seeking leave to file a second amended complaint.

9. Due to the late hour and the voluminous number of Defendants, Plaintiffs have not been able to seek the concurrence or non-concurrence of counsel for all Defendants pursuant to M.D. Pa. LR 7.1. However, Plaintiffs' counsel are in the process of seeking concurrence or non-concurrence at this time and will inform the Court as to their position as soon as possible.

WHEREFORE, Plaintiffs respectfully request the Court to continue the scheduled oral argument and hearing on the Motions to Dismiss and on Plaintiffs' Motion for Temporary Restraining Order until further Order of Court and requests that the time previously set aside for oral argument be used for a conference call among counsel to discuss the above-referenced outstanding matters and new deadlines for same.

Respectfully submitted,

/s/Marc A. Scaringi

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FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DONALD J. TRUMP FOR :
PRESIDENT, INC., et. al., : No: 4:20-CV-02078-MWB
:
Plaintiffs :
v. :
:
KATHY BOOCKVAR, et. al., :
:
Defendants :

CERTIFICATE OF SERVICE

I, Deborah A. Black, Paralegal for Scaringi Law, do hereby certify that I served a true and correct copy of the *Motion for Continuance of Oral Argument and Hearing on Motions to Dismiss and Motion for Temporary Restraining Order*, in the above-captioned action, upon all parties registered to receive same via electronic mail.

Date: November 16, 2020

/s/ Deborah A. Black
Deborah A. Black, Paralegal
For Marc A. Scaringi, Esquire and
Brian C. Caffrey, Esquire