

No. 22-3326

UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT

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REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS,  
Petitioner-Appellant,  
v.  
UNITED STATES,  
Respondent-Appellee.

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Appeal from the United States District Court for the District of  
Minnesota  
No. 0:20-mc-00082-PJS

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AGREED MOTION FOR EXTENSION TO FILE RESPONSE AND  
REPLY BRIEFS

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Appellee the United States requests a 30-day extension of time, or until March 29, 2023, to file its responsive brief. In addition, the government asks that Appellant be given seven extra days, for a total of 28 days from the date on which the response brief is submitted, to file its reply brief. The following good cause supports this request:

1. The government's response brief in this matter is currently due on February 27, 2023.

2. Among the undersigned counsel's other responsibilities, he was recently assigned as principal government counsel in *Wilderness Watch v. U.S. Forest Service, et al.*, Case No. 23-cv-284 (D. Minn.), in which a memorandum responding to the plaintiff's motion for preliminary injunction is due on March 6, and a hearing is set for March 29. Given these other obligations, it will not be possible to meet the current deadline for the responsive brief in this matter.
3. 30 additional days should be sufficient to prepare a brief that is thorough and useful to the Court.
4. The undersigned counsel has conferred with counsel for Appellant Reporters Committee concerning this request. Appellant's counsel indicated their agreement to the additional time to respond, so long as the government also requests an extra week for Appellant's reply brief to accommodate case responsibilities and other obligations of Appellant's counsel. The government is amenable to this request, which would cause the reply brief to be due 28 days after the government's response brief.

5. This is the government's first request for an extension in this appeal; it is not being submitted for purposes of delay.

Dated: February 22, 2023

ANDREW M. LUGER  
United States Attorney

*s/ David W. Fuller*

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CERTIFICATE OF COMPLIANCE FOR AGREED MOTION FOR  
EXTENSION TO FILE RESPONSE AND REPLY BRIEFS

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1. This motion complies with the length limits of Fed. R. App. P. 27(d)(2) because it contains 264 words and does not exceed 5,200 word limitation.

2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in 14 point Century Schoolbook type style.

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Dated: February 22, 2023

ANDREW M. LUGER  
United States Attorney

*s/ David W. Fuller*

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