
No. 08-2352

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

UNITED STATES STUDENT ASSOCIATION FOUNDATION, as an organization and representative of its members, AMERICAN CIVIL LIBERTIES UNION FUND OF MICHIGAN, as an organization and representative of its members, AMERICAN CIVIL LIBERTIES UNION OF MICHIGAN, as an organization and representative of its members,

Plaintiffs-Appellees,

and

MICHIGAN STATE CONFERENCE OF NAACP BRANCHES, as an organization and representative of its members,

Plaintiff,

v.

TERRI LYNN LAND, Michigan Secretary of State, and CHRISTOPHER M. THOMAS, Michigan Director of Elections, in their official capacities,

Defendants-Appellants,

and

FRANCES McMULLAN, City Clerk for the City of Ypsilanti, Michigan, in her official capacity,

Defendant.

Appeal from the United States District Court
Eastern District of Michigan, Southern Division

**PLAINTIFFS-APPELLEES' MOTION FOR SEVEN DAY EXTENSION OF
TIME TO FILE BRIEF IN OPPOSITION TO DEFENDANTS-
APPELLANTS' APPEAL BRIEF**

Plaintiffs-Appellees United States Student Association Foundation,
American Civil Liberties Union of Michigan, and American Civil Liberties Union
Fund of Michigan, through their attorneys, Pepper Hamilton, LLP, pursuant to Fed.

R. App. P. 26(b), , submits its Motion for Extension of Time to File Brief in Opposition to Defendants-Appellants' Appeal Brief and in support, states as follows:

1. On October 30, 2008, the Court issued a briefing schedule which provided that Appellant Brief be filed by November 21, 2008, Appellee Brief be filed by December 12, 2008 and Appellant's (optional) Reply Brief be filed by December 22, 2008.

2. Subject to specified limitations not applicable to the present Motion, Fed. R. App. P. 26(b) provides that, for good cause, the Court "may extend the time prescribed by these rules or by its order to perform any act, or may permit an act to be done after that time expires."

3. Plaintiffs-Appellees seek to extend the deadline by seven days (to December 19, 2008) to file their Brief in Opposition to Defendants-Appellants' Appeal Brief to accommodate the current workload of counsel for Plaintiffs-Appellees.

4. If such an extension is granted, Plaintiffs-Appellees' would not oppose extending Defendants-Appellants' Reply Brief deadline to whatever extent necessary and/or deemed appropriate to by the Court to account for the upcoming holidays and any related vacations.

5. For these reasons, Plaintiffs-Appellees request a 7 day extension of the time to file their Brief in Opposition to Defendants-Appellants' Appeal Brief.

6. Counsel for Plaintiffs-Appellees sought the concurrence of the Defendants-Appellants on December 8, 2008, but concurrence was denied.

For the foregoing reasons, the Plaintiffs-Appellees, United States Student Association Foundation, American Civil Liberties Union of Michigan, and American Civil Liberties Union Fund of Michigan, respectfully request that this Court extend the period of time by seven days to file their Brief in Opposition to Defendants-Appellants' Appeal Brief

Respectfully submitted,

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Dated: December 9, 2008

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of December, 2008, a copy of the foregoing Plaintiff-Appellee's Motion for Extension of Time to File Brief in Opposition to Defendants-Appellants' Appeal Brief and this Certificate of Service were filed electronically with the United States Court of Appeals, and notice will be sent by operation of the Court's electronic filing system to counsel of record.

Respectfully submitted,

/s/ Mary K. Deon
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