

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

ATIF F. BHATTI; TYLER D. WHITNEY; MICHAEL
F. CARMODY,
Plaintiffs-Appellants,

v.

FEDERAL HOUSING FINANCE AGENCY;
DEPARTMENT OF THE TREASURY; JANET
YELLEN ; SANDRA L. THOMPSON,
Defendants-Appellees,

No. 23-1051

**UNOPPOSED JOINT MOTION FOR EXTENSION OF TIME IN WHICH
TO FILE RESPONSE BRIEFS**

Pursuant to Federal Rule of Appellate Procedure 27, defendants-appellees respectfully request a 30-day extension of the deadline for their two response briefs, to and including May 3, 2023. Plaintiffs-Appellants consent to this motion.

1. The brief of the appellant was accepted as filed on March 2, 2023, and the defendants-appellees' response briefs are currently due April 3, 2023. The defendant-appellees have not previously sought an extension of this deadline.

2. Good cause exists for an extension of the briefing deadline for the Department of Treasury's brief. The attorneys with primary responsibility for preparing the response brief for the Department of Treasury will be Gerard Sinzduk and Anna Stapleton. Additional time is necessary to permit Mr. Sinzduk and Ms. Stapleton to prepare the Department of Treasury's brief in light of deadlines in other

litigation. These deadlines include the following: *Collins v. Treasury*, No. 22-20632 (5th Cir.) (jointly responsible for principal brief due April 3) (Sinzdak and Stapleton); *Vein & Wellness Group, LLC v. Becerra*, No. 22-2253 (4th Cir.) (primarily responsible for principal brief due April 12) (Stapleton); *Torres-Estrada v. Cases*, No. 21-1521 (1st Cir.) (presenting oral argument on March 10) (Sinzdak). Ms. Stapleton also has planned international travel from April 7 through April 17, 2023.

3. Good cause also exists for an extension of the briefing deadline for FHFA's brief. The attorney with primary responsibility for preparing the response brief for FHFA will be Robert Katerberg. Additional time is necessary to permit Mr. Katerberg to prepare FHFA's brief in light of an upcoming deadline in *Collins v. Treasury*, No. 22-20632 (5th Cir.) (responsible for principal brief due April 3).

4. To maintain an orderly briefing schedule, defendants-appellees request that the deadline for filing the response briefs of both the Department of Treasury and FHFA be extended to the same date.

5. Counsel for plaintiffs-appellants have informed us that they consent to this motion.

March 10, 2023

Respectfully submitted,

/s/ Anna M. Stapleton
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CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2023, I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the Eighth Circuit by using the appellate CM/ECF system. All participants in this case are registered CM/ECF users and will be served by the CM/ECF system.

/s/ Anna M. Stapleton
ANNA M. STAPLETON

CERTIFICATE OF COMPLIANCE

I hereby certify that this motion complies with the requirements of Fed. R. App. P. 27(d)(1)(E), 32(a)(5), and 32(a)(6) because it has been prepared in 14-point Garamond, a proportionally spaced font. I further certify that this motion complies with the word limitations of Fed. R. App. P. 27(d)(2)(A) because it contains 312 words, according to the count of Microsoft Word 2016.

/s/ Anna M. Stapleton
ANNA M. STAPLETON