UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Mation for: 14-day extension of the deadline to file briefs on behalf of both appellees Set forth below precise, complete statement of relief sought: For the reasons set forth in the accompanying affirmation, the City appelleewith the consent of the State appellee request that the deadline for both appellees to file their briefs be extended by 14 days to June 30, 2022. Roberts v. Bassett MOVING PARTY: New York City Dep't of Health Driefs be extended by 14 days to June 30, 2022. OPPOSING PARTY: Roberts and Vavruska MOVING PARTY: New York City Dep't of Health Driefs be extended by 14 days to June 30, 2022. OPPOSING ATTORNEY: Wencong Fa MOVING PARTY: New York City Dep't of Health Driefs be extended by 14 days to June 30, 2022. OPPOSING ATTORNEY: Wencong Fa MOVING ATTORNEY: Diana Lawless Draw of atomey. with firm, address, phone number and e-mail [name of atomey. with firm, address, phone number and e-mail] Pacific Legal Foundation 100 Church Street, New York, NY 10007 555 Capitol Mall, Suite 1290 212 356-0848/dlawless@law.nyc.gov 212 356-0848/dlawless@law.nyc.gov 916 419-7111/wfa@pacificlegal.org Not (address) Quested return date and explanation of concepting: 	Docket Number(s): 22-622	Caption [use short title]	
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Signature of Moving Attorney:			
/s/Diana Lawless Date: June 8, 2022 Service by: CM/ECF Other [Attach proof of service]	Signature of Moving Attorney:		
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22-196

United States Court of Appeals for the Second Circuit

JONATHAN ROBERTS and CHARLES VAVRUSKA,

Plaintiffs-Appellants,

against

MARY T. BASSETT, in her official capacity as COMMISSIONER, NEW YORK STATE DEPARTMENT OF HEALTH, and DEPARTMENT OF HEALTH AND MENTAL HYGIENE OF THE CITY OF NEW YORK,

Defendants-Appellees.

On Appeal from the United States District Court for the Eastern District of New York

AFFIRMATION OF DIANA LAWLESS IN SUPPORT OF EXTENSION REQUEST

DIANA LAWLESS, an attorney admitted to practice in this

Court, affirms under the penalties of perjury as follows:

1. I am an Assistant Corporation Counsel to Hon. Sylvia O.

Hinds-Radix, Corporation Counsel of the City of New York.

- 2. This Court placed this appeal on the Expedited Calendar.
- I respectfully request a two week extension (to June 30, 2022) for appellees to file and serve their briefs in this appeal.
- 4. I have communicated with Andrea Trento of the New York State Attorney General's Office, who is the assigned attorney for the State appellee. He consents to the relief, which also includes an extension for his brief.
- I have communicated with appellants' counsel Wencong Fa. He opposes but I do not know if he will be filing a written response.
- 6. I request this two-week extension based on several factors. Foremost, I have not been able to complete the brief for filing since appellants filed their brief on May 12 because of other work that could not be rescheduled, including oral arguments in state court on May 16 and June 7. In addition, Ι had prescheduled vacation in late May. The a constitutional legal issues are also somewhat complex and other attorneys in my office will have to review the draft.

7. There will be no prejudice to maintaining this case on the Expedited Calendar because of the Court's summer break from hearing oral arguments.

Dated: New York, New York June 8, 2022

> <u>s/ Diana Lawless</u> DIANA LAWLESS