

Appeal No. 24-3770

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

OREGON ASSOCIATION OF HOSPITALS AND HEALTH SYSTEMS,

Appellant,

v.

STATE OF OREGON, and DR. SEJAL HATHI, in her official capacity as
Director of Oregon Health Authority,

Appellees.

On Appeal from the United States District Court
for the District of Oregon
The Honorable Michael H. Simon
Case No. 3:22-cv-01486-SI

**APPELLANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE OPENING BRIEF**

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*Attorneys for Appellant Oregon Association
of Hospitals and Health Systems*

Appellant Oregon Association of Hospitals and Health Systems requests a 30-day extension, until November 12, 2024, to file its opening brief and excerpts of record.

The opening brief was first due on September 10, 2024. Dkt 2. The deadline was extended to October 10, 2024, by a streamlined request for extension. Undersigned counsel has reviewed the record in this matter and has been drafting the appellant's brief; however, in light of other significant professional commitments over the last month, additional time is required to complete the appellant's brief and prepare the excerpts of record. Undersigned counsel has contacted opposing counsel, who represented that the State of Oregon and Dr. Sejal Hathi do not oppose the requested extension.

This motion is supported by the attached declaration of counsel.

DATED: October 3, 2024

Respectfully submitted,

STOEL RIVES LLP

s/ Brad S Daniels

Brad S. Daniels (OR Bar No. 025178)

Nathan R. Morales (OR Bar No. 145763)

Whitney A. Brown (AK Bar No. 1906063)

Attorneys for Appellant Oregon Association
of Hospitals and Health Systems

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DECLARATION OF BRAD S. DANIELS

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*Attorneys for Appellant Oregon Association
of Hospitals and Health Systems*

I, Brad S. Daniels, declare as follows:

1. I am counsel of record for appellant Oregon Association of Hospitals and Health Systems (OAHHS).

2. OAHHS's opening brief is currently due on October 10, 2024.

3. OAHHS's opening brief was first due on September 10, 2024. This deadline was extended to October 10, 2024, after appellee received a 30-day streamlined extension.

4. OAHHS now requests an additional 30-day extension, until November 12, 2024, to file its answering brief and excerpt of record.

5. I have reviewed the record in this matter and have been drafting the appellee's brief. Over the last month, however, I have had a number of other significant professional commitments to attend to, including preparing for a five-day jury trial scheduled for September 16–20, continued proceedings in a large pending class action in Oregon, and an Oregon Supreme Court argument on September 26.

6. Thus, despite diligent efforts, additional time is required to complete the appellant's brief and prepare the excerpts of record.

7. I have conferred with counsel for the State of Oregon and Dr. Sejal Hathi, who indicated that the appellees do not oppose the requested extension of time.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Portland, Oregon, on October 3, 2024.

STOEL RIVES LLP

s/ Brad S. Daniels

Brad S. Daniels (OR Bar No. 025178)

Nathan R. Morales (OR Bar No. 145763)

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