

IN THE UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

NOVARTIS PHARMACEUTICALS CORP.,

*Plaintiff-Appellant,*

*v.*

XAVIER BECERRA, U.S. Secretary of Health &  
Human Services, *et al.*,

*Defendants-Appellees.*

No. 24-2968

**UNOPPOSED MOTION FOR A 21-DAY EXTENSION  
OF TIME IN WHICH TO FILE RESPONSE BRIEF**

For the reasons that follow, defendants-appellees respectfully request a 21-day extension of time, to and including February 19, 2025, within which to file the response brief in this case. Appellant consents to this request.

1. Appellant filed its opening brief on December 30, 2024. The government's response brief is due January 29, 2025. The government has not requested any prior extensions, and no oral argument date has been set.

2. The requested extension is necessary to allow the government adequate time to prepare its response. Catherine Padhi is the attorney with primary responsibility for drafting the government's response brief in this case, and she has been occupied with several other appellate matters during the briefing period, including *Novo Nordisk v. Becerra*, No. 24-2510 (3rd Cir.) (response brief filed Dec. 16, 2024); *Khalid v. Garland*, No. 24-5091 (D.C. Cir.) (response brief filed Dec. 18, 2024); and *Johnny Copper v. FDA*, No. 24-13302 (11th Cir.) (response brief due Jan. 29, 2025).

Lindsey Powell, who shares responsibility for this case, is responsible for handling or supervising the following matters, among others: *Food & Drug Admin. v. R.J. Reynolds Vapor Co.*, No. 23-1187 (S. Ct.) (reply brief due Jan. 10, 2025); *Boehringer Ingelheim v. Becerra*, No. 24-2092 (2d Cir.) (response brief due Jan. 15, 2025); *Dayton Area Chamber of Commerce v. Becerra*, No. 24-3868 (6th Cir.) (response brief due Jan. 22, 2025).

Michael S. Raab, who has supervisory responsibility over this case, is also responsible for supervising the following matters, among others: *Ryan LLC v. Fed. Trade Comm'n*, No. 24-10951 (5th Cir.) (opening brief filed Jan. 2, 2025); *Zafirov v. Florida Med. Assocs., LLC*, No. 24-13581 (11th Cir.) (opening brief filed Jan. 6, 2025); *Morehouse Enterprises, LLC v. ATF*, No. 24-3200 (8th

Cir.) (response brief due Jan. 13, 2025); *Fontana v. Garland*, No. 24-2526 (3d Cir.) (response brief due Jan. 13, 2025); *Bennet v. Bayer Corp.*, No. 24-1807 (3d Cir.) (oral argument Jan. 13, 2025); *Warren v. Dep't of Labor*, No. 24-13505 (11th Cir.) (response brief due Feb. 3, 2025); *Mahoney v. U.S. Capitol Police Board*, No. 24-5207 (D.C. Cir.) (opening brief due Feb. 3, 2025); *Campaign for Accountability v. DOJ*, No. 24-5163 (D.C. Cir.) (reply and response brief due Feb. 5, 2025); *Gun Owners of Am. v. DOJ*, No. 24-1881 (6th Cir.) (response brief due Feb. 7, 2025); *America First Legal Foundation v. Dellinger*, No. 24-5168 (D.C. Cir.) (oral argument Feb. 12, 2025); *Veltor Underground LLC v. Small Bus. Ass'n*, No. 24-2025 (6th Cir.) (response brief due Feb. 18, 2025); *Florida v. Buttigieg*, No. 24-13261 (11th Cir.) (response brief due Feb. 26, 2025).

3. In light of these litigation matters and the intervening holidays, the government respectfully requests a 21-day extension of time to prepare its response brief, to and including February 19, 2025. The requested extension will not appreciably delay the resolution of the case, and counsel will exercise diligence in preparing the response in the time requested.

4. Counsel for appellant has advised that appellant consents to this request.

## CONCLUSION

For the foregoing reasons, we respectfully ask that the Court extend the deadline for filing the government's response by 21 days, to and including February 19, 2025.

Respectfully submitted,

MICHAEL S. RAAB

LINDSEY POWELL

/s/ Catherine Padhi

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JANUARY 2025

## CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g), I hereby certify this motion complies with the requirements of Fed. R. App. P. 27(d)(1)(E) because it has been prepared in 14-point Book Antiqua, a proportionally spaced font, and that it complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 540 words, according to the count of Microsoft Word.

/s/ Catherine Padhi  
Catherine Padhi

## CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2025, I electronically filed the foregoing with the U.S. Court of Appeals using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

/s/ Catherine Padhi  
Catherine Padhi