
No. 24-10561

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

GUARDIAN FLIGHT, L.L.C.; MED-TRANS CORPORATION,
Plaintiffs-Appellants

v.

HEALTH CARE SERVICE CORPORATION,
Defendant-Appellee

On Appeal from the United States District Court
for the Northern District of Texas, Hon. Jane J. Boyle
Case No. 3:23-cv-01861-B

**MOTION FOR EXTENSION OF TIME TO FILE
PLAINTIFFS-APPELLANTS' PETITION FOR REHEARING EN BANC**

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Counsel for Plaintiffs-Appellants

Pursuant to Federal Rule of Appellate Procedure 26(b) and Fifth Circuit Rule 27.2.4, Plaintiffs-Appellants Guardian Flight, LLC and Med-Trans Corporation (“Plaintiffs”) respectfully request a 30-day extension of time, to and including July 28, 2025, to file a petition for rehearing en banc. On June 23, 2025, and again on June 24, 2025, Plaintiffs’ counsel contacted counsel for Defendant-Appellee Health Care Service Corporation, but as of the time of this filing, counsel has not indicated whether Defendant-Appellee opposes this motion.

1. On June 12, 2025, a three-judge panel issued an opinion affirming the district court’s dismissal of Plaintiffs’ claims.

2. As it stands, Plaintiffs’ petition for rehearing en banc is due June 26, 2025. *See* Fed. R. App. Pro. 40(d)(1); Fifth Cir. R. 40.2.4.

3. Plaintiffs’ respectfully request a 30-day extension of that deadline. Because 30 days from June 26, 2025 lands on Saturday, July 26, 2025, Plaintiffs request that the 30-day extension run through and including Monday, July 28, 2025.

4. Good cause exists to grant the requested extension. Counsel of Record is occupied with other pressing matters, including a response to a petition for rehearing due July 9, 2025, in *Bay Area Unitarian v. Ogg*, No. 23-20165 (5th Cir.); several obligations related to an upcoming trial in *Tex. Mutual Ins. Co. v. Air Evac EMS, Inc.*, No. 454-15-1877.M4 (Texas State Office of Administrative Hearings) (including assisting with the preparation of pre-filed direct testimony due July 30,

2025); and several other internal matters. In addition, one of Plaintiffs' counsel has several deadlines and obligations in the coming weeks related to *Guardian Flight v. Aetna*, No. 3:24-cv-680-MPS (D. Conn.), including an opposition memorandum due June 26, 2025; a detailed pre-settlement conference submission due July 8, 2025; expert reports due July 15, 2025; a settlement conference on July 15, 2025; and several scheduled depositions. Another of Plaintiffs' counsel is similarly occupied with the obligations noted above in *Tex. Mutual Ins. Co. v. Air Evac EMS, Inc.*, No. 454-15-1877.M4 (Texas State Office of Administrative Hearings), and is assisting with a reply brief due on July 22, 2025, in *Bell v. United Airlines, Inc.*, No. 1:25-cv-06307 (N.D. Ill.). Finally, Counsel of Record had planned international travel scheduled from June 16, 2025 through June 30, 2025.

5. Accordingly, good cause exists to grant a modest extension of 30 days for Plaintiffs to file their petition for rehearing en banc.

June 24, 2025

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Respectfully submitted,

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Counsel for Plaintiffs-Appellants

CERTIFICATE OF CONFERENCE

On June 23 & 24, 2025, Plaintiffs' counsel contacted counsel for Defendant-Appellee Health Care Service Corporation, but as of the time of this filing, counsel has not indicated whether Defendant-Appellee opposes this motion.

/s/ Charlotte H. Taylor
Charlotte H. Taylor

CERTIFICATE OF SERVICE

I certify that on June 24, 2025, I served a copy of the foregoing on all counsel of record by CM/ECF.

/s/ Charlotte H. Taylor
Charlotte H. Taylor

CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume, typeface, and type-style requirements of Federal Rules of Appellate Procedure 27(d) and 32(a)(5)–(6), and Fifth Circuit Rule 27.4. The motion contains 394 words and was prepared using Microsoft Word and produced in Times New Roman 14-point font.

/s/ Charlotte H. Taylor
Charlotte H. Taylor