

Judge Indira Talwani: ELECTRONIC ORDER allowing 107 MOTION for Extension of Time to File Response/Reply as to 88 MOTION to Dismiss. (SEC) (Entered: 11/06/2025)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

STATE OF NEW JERSEY, *et al.*,

Plaintiffs,

v.

U.S. OFFICE OF MANAGEMENT
AND BUDGET, *et al.*,

Defendants.

Case No. 1:25-cv-11816-IT

DEFENDANTS' UNOPPOSED MOTION FOR AN EXTENSION OF TIME

Defendants respectfully request a three-week extension of Defendants' November 14, 2025 deadline to file a reply brief in this case. As good cause for this request, which Plaintiffs do not oppose, Defendants offer the following:

1. Pursuant to a schedule agreed upon by the parties and ordered by the Court, Defendants' current deadline to file a reply brief in this matter is next Friday, November 14, 2025. *See* Electronic Order, ECF No. 63. With the exception of (1) joining the parties' original scheduling proposal, ECF No. 61, and (2) Defendants' motion to stay due to the lapse in appropriations, ECF No. 99 (which the Court denied yesterday, ECF No. 105), Defendants have not previously sought any extensions or modifications to the schedule in this case.

2. Since the parties submitted their joint scheduling proposal in July, however, the litigation deadlines facing undersigned counsel for Defendants have been scrambled significantly—in part due to the lapse in appropriations (including other cases in which stay motions were denied, or granted only in part) and in part due to new case assignments. In particular, undersigned counsel has recently been consumed with multiple significant and time-sensitive filings related to a motion for a preliminary injunction in a new case, including preparing for and presenting at a preliminary-injunction hearing that required travel across the country.

3. Accordingly, due to the press of other business and to account for other immovable and time-sensitive professional obligations, as well as planned leave for the Thanksgiving holiday, undersigned counsel for Defendants respectfully requests a brief period of additional time—three weeks—to prepare and finalize Defendants’ reply brief in this case. The additional time is especially necessary given the very large number of agency defendants and stakeholders within the Executive Branch who have an interest in this case.

4. Before filing this motion, counsel for Defendants conferred with counsel for Plaintiffs, who reported that Plaintiffs do not oppose the relief requested in this motion. Plaintiffs also asked that their position be reported as follows:

While Plaintiffs do not oppose the requested extension for Defendants’ reply brief, they note that this is an effort to “work collaboratively on scheduling matters.” Doc. No. 100 at 3. As Plaintiffs have explained, this case remains pressing given Defendants’ ongoing termination of critical grants. *See id.*; Doc. No. 98 at 4-12; Doc. No. 67 at 17-18, 21. So even if the Court grants Defendants’ requested extension, Plaintiffs respectfully submit that the pending motions should be resolved expeditiously.

5. While Defendants do not join this statement, they appreciate that counsel for all parties have been able to work collaboratively on scheduling, and continue to do so now.

6. Accordingly, Defendants respectfully request that their reply deadline be extended from November 14, 2025 to December 5, 2025.

Date: November 6, 2025

Respectfully submitted,

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/s/ Stephen M. Pezzi
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Counsel for Defendants

LOCAL RULE 7.1 CERTIFICATE

I, Stephen M. Pezzi, certify that on November 3, 2025, I conferred with counsel for Plaintiffs regarding this motion, in an attempt in good faith to resolve or narrow the issue. Plaintiffs' counsel reported that Plaintiffs do not oppose the relief requested in this motion, and also asked that their position be reported as quoted above in Paragraph 4.

/s/ Stephen M. Pezzi
STEPHEN M. PEZZI