

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JEFFREY THOMAS, JR., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:22-cv-427
)	
SUSAN BEALS, <i>et al.</i> ,)	
)	
Defendants.)	
)	

**DEFENDANTS’ MEMORANDUM IN SUPPORT OF MOTION FOR ENLARGEMENT
OF PAGE LIMIT FOR OPENING BRIEF**

Defendants Susan Beals, in her official capacity as Commissioner of the Virginia Department of Elections, Robert Brink, in his official capacity as Chairman of the Virginia State Board of Elections, and the Virginia Department of Elections (“Defendants”), by counsel and pursuant to Local Civil Rule 7(F)(1), respectfully submit this memorandum in support of their Motion for Enlargement of Page Limit for Opening Brief. In support of their Motion, Defendants state as follows:

1. Plaintiffs have filed an Amended Complaint alleging novel legal theories and extensive factual allegations. These theories and allegations are unique to this case.
2. Indeed, the Court recognized that compared to the initial Petition for Writ of Mandamus (ECF No. 1), the Amended Complaint “adds new parties and raises significant additional factual and legal allegations...” (ECF No. 16.)
3. Local Civil Rule 7(F)(3) imposes a 30-page limit on opening briefs.

4. Per the Court's Scheduling Orders (ECF Nos. 10 and 16), Defendants intend to file responsive pleadings asserting a number of grounds for dismissal of the Amended Complaint.
5. The Amended Complaint is brought by three different plaintiffs, with facts unique to each plaintiff.
6. The Amended Complaint raises complex questions of statutory and constitutional law, and includes claims regarding the 2021 House of Delegates election that have not been previously litigated in any court.
7. Accordingly, and to ensure that this Court receives thorough briefing on these complex issues, Defendants move this Court for an Order modestly enlarging the page limit for Defendants' opening brief by 10 pages, from 30 pages to 40 pages.
8. Defendants do not seek an enlargement of the page limit for their rebuttal brief.
9. Defendants consulted with Plaintiffs prior to filing the motion. Plaintiffs have indicated that they oppose the motion.

WHEREFORE, Defendants respectfully request an order enlarging the page limit for Defendants' opening brief from 30 to 40 pages, and any other relief that the Court deems proper and just.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on June 22, 2022, the foregoing document was filed with the CM/ECF system and was e-mailed to the following *pro se* Plaintiffs, per the agreement on the record during the June 13, 2022 hearing:

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