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Counsel for Legislative Defendants

**IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE MIKE SCHULTZ, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

**LEGISLATIVE DEFENDANTS'
MOTION FOR EXTENSION OF
TIME TO RESPOND TO PLAINTIFFS'
MOTION FOR SUMMARY
JUDGMENT AND FIRST AMENDED
COMPLAINT**

Case No.: 220901712

Honorable Dianna Gibson

**LEGISLATIVE DEFENDANTS' MOTION FOR EXTENSION OF TIME TO
RESPOND TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT
AND FIRST AMENDED COMPLAINT**

Legislative Defendants respectfully move the Court to extend their deadline to respond to Plaintiffs' summary-judgment motion and first amended complaint **up to, and including, Friday, November 8, 2024**. On September 5, 2024, this Court resolved a dispute between the parties and set October 18, 2024, as Legislative Defendants' deadlines to respond to those filings. This Court recognized that Legislative Defendants have only one opportunity to apply the new legal framework and submit a written response. For that reason, this Court gave Legislative Defendants appropriate time to prepare a response. But since then, Legislative Defendants have spent the past three weeks responding to Plaintiffs' later-filed motions for preliminary injunction. To restore Legislative Defendants to the same place where this Court had originally placed them, they respectfully ask this Court for a three-week extension of the current deadline and allow them to submit their responses on November 8, 2024. Under Rule 7(l)(1)(B), this Court "may act on" this motion for an extension of time "without waiting for a response."

In support of this motion, Legislative Defendants state as follows:

1. On July 11, 2024, the Utah Supreme Court remanded Count V of Plaintiffs' complaint while retaining jurisdiction over the other counts. The remittitur issued on August 2, 2024. On August 28, 2024, Plaintiffs filed a motion for summary judgment on County V.

2. On September 5, 2024, this Court granted Legislative Defendants' request for an extension, observing that they "have only one opportunity to provide a written response" that analyzes and applies the Supreme Court's "new legal framework." Order (Sept. 5, 2024). This Court gave Legislative Defendants until October 18, 2024, to file their response.

3. On September 5, 2024, Plaintiffs moved to add six supplemental claims and for a preliminary injunction to challenge Amendment D. And on September 7, 2024, Plaintiffs added another

supplemental claim. Plaintiffs sought to expedite the proceedings, and this Court held a status conference on September 9, 2024. During the status conference, the Court ordered Legislative Defendants to respond to Plaintiffs' motions by September 11, 2024. And the Court held a preliminary-injunction hearing on September 11, 2024. On September 12, 2024, this Court issued a preliminary injunction declaring Amendment D void.

4. On September 13, 2024, Legislative Defendants sought Supreme Court review. On September 14, 2024, the Supreme Court granted review and set an expedited briefing schedule. Plaintiffs filed their response brief on September 19, 2024, and Legislative Defendants filed their reply on September 23, 2024. The Supreme Court heard oral argument and issued a per curiam order affirming this Court's preliminary injunction on September 25, 2024.

5. From the moment this Court granted the extension for Legislative Defendants to respond to Plaintiffs' motion for summary judgment on Count V, Legislative Defendants' efforts in this case have been spent responding instead to Plaintiffs' new claims about Amendment D. As this Court observed previously, Legislative Defendants only have one opportunity to respond to Plaintiffs' motion for summary judgment. Legislative Defendants therefore request a modest extension to place them back in the position the Court had placed them before the Amendment D proceedings. This will allow Legislative Defendants to prepare a response that properly addresses the important and far-reaching issues raised by Plaintiffs' motion.

CONCLUSION

The Court should grant Legislative Defendants' motion and extend their deadlines to respond to Plaintiffs' summary-judgment motion and first amended complaint to and including November 8, 2024.

Dated: September 27, 2024

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I filed this brief on the Court's electronic filing system, which will email everyone requiring notice.

Dated: September 27, 2024

/s/ Tyler R. Green