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Counsel for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

COMMISSIONER AMELIA POWERS
GARDNER, a registered Utah voter and
elected official, et al.,

Plaintiffs,

v.

LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendant.

**PLAINTIFFS' MOTION FOR
LEAVE TO FILE OVERLONG
REPLY IN SUPPORT OF
MOTION FOR PRELIMINARY
INJUNCTION**

Case No. 2:26-cv-00084-RJS-JCB

Circuit Judge Timothy M. Tymkovich
District Judge Robert J. Shelby
District Judge Holly L. Teeter

Magistrate Judge Jared C. Bennett

Plaintiffs respectfully request leave to file an overlength Reply in Support of Plaintiffs' Motion for Preliminary Injunction. *See* DUCivR 7-1(a)(7). The League did not provide a word count for their response to Plaintiffs' motion for preliminary injunction. Nor did they provide one for their reply in support of their motion to dismiss. But by Plaintiffs' count, their motion for preliminary injunction response was 11,003 words and their reply was 4,769 words. Plaintiffs reply is approximately 5,278 words. Plaintiffs reply is therefore less than half the words in the League's response.

Plaintiffs respectfully submit that good cause exists for the additional pages for the reply. Plaintiffs need to respond both to the Defendant Lieutenant Governor's five-page response (Doc. 51) and the Proposed Intervenor League of Women Voters of Utah *et al.*'s overlong thirty-six-page response (Doc. 56). Plaintiffs also address arguments made in the National Redistricting Foundation's separate amicus brief (Doc. 64). The small additional length of the reply is necessary to fully respond to those arguments.

Given the stakes at issue, the compressed timing for this Court's decision, and the need to get the law right, Plaintiffs respectfully request that leave be granted. A proposed Order is filed concurrently with this motion.

February 16, 2026

Respectfully submitted,

/s/ Gene C. Schaerr

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CERTIFICATE OF SERVICE

I certify that on February 16, 2026, the foregoing motion was filed with the Clerk of the Court by this CM/ECF filing system, which will cause all counsel of record to be served electronically.

Dated: February 16, 2026

/s/ Gene C. Schaerr
Gene C. Schaerr (*pro hac vice*)
D.C. Bar No. 416368

Counsel for Plaintiffs

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**[PROPOSED] ORDER
GRANTING PLAINTIFFS' MOTION
FOR LEAVE TO FILE OVERLONG
REPLY IN SUPPORT OF MOTION
FOR PRELIMINARY INJUNCTION**

Case No. 2:26-cv-00084-RJS-JCB

Circuit Judge Timothy M. Tymkovich
District Judge Robert J. Shelby
District Judge Holly L. Teeter

Magistrate Judge Jared C. Bennett

Before the Court is Plaintiffs' Motion for Leave to File Overlong Reply in Support of Motion for Preliminary Injunction, consisting of approximately 5,278 words.

The Court having considered the Motion and for good cause appearing, hereby GRANTS the motion. Plaintiffs are granted leave to file the overlong reply.

DATED this ____ day of February, 2026.

BY THE COURT:

Hon. Robert J. Shelby
United States District Judge