

**11-35125**  
**IN THE UNITED STATES COURT OF APPEAL**  
**FOR THE NINTH CIRCUIT**

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**WASHINGTON STATE REPUBLICAN )**  
**PARTY, *et al.*, )**  
**)**  
**Appellants, )**  
**)**  
**vs. )**  
**)**  
**WASHINGTON STATE GRANGE, *et al.*, )**  
**)**  
**Defendants & Appellees. )**  
**)**

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**MOTION FOR EXTENSION OF TIME**

The Appellants Libertarian Party of Washington, Ruth Bennett and John S. Mills hereby move the above-entitled Court for an extension of time for an additional fourteen days, until June 20, 2011, in which to file its Opening Brief. This motion is based on the matters set forth in the accompanying declaration.

After the Circuit Rule 32-2-2[a] extension was granted, counsel's mother-in-law passed away suddenly and unexpectedly. Since she died, he has been attending to his wife to assist her.

Despite diligent effort, he has not been able to complete the Appellants' Opening Brief within the original extension of time.

These circumstances could not reasonably be foreseen and fall within the "extraordinary and compelling circumstances" contemplated by Rule 32-2-2[a]. The accompanying declaration sets forth the detailed, supporting facts and the other information required by Circuit Rule 32-2-2[b].

### **CONCLUSION**

Based on the matters set forth in the accompanying declaration, the Appellants request that the Court grant an extension of time for the filing of their Opening Brief until June 20, 2011.

Dated at Woodburn, Oregon, this 6<sup>th</sup> day of June, 2011.

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LIBERTARIAN PARTY OF  
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## CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2011, I caused to be electronically filed the foregoing Motion for Extension with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

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