

No. 16-0549

In the Supreme Court of Texas

Dr. Behzad Nazari, D.D.S., et al.,
Petitioners,
v.
The State of Texas,
Respondent,
v.
Xerox Corporation et al.,
Respondents.

On Petition for Review from the
Third Court of Appeals, Austin, Texas

**Unopposed Motion to Extend Time for Filing
Response to Petitioners' Motion for Rehearing**

To the Honorable Supreme Court of Texas:

Pursuant to Texas Rule of Appellate Procedure 10.5(b), respondent the State of Texas moves to extend the time to file its response to petitioners' motion for rehearing by 30 days, to October 26, 2018.

I.

Petitioners filed a motion for rehearing on September 6, 2018, and the State's response to that motion is currently due on September 26, 2018. The State seeks a 30-day extension, creating a new deadline of October 26, 2018. This is the State's first request to extend this deadline. No party opposes this request.

II.

This extension is sought to accommodate the press of business for which the undersigned counsel is responsible, including:

Presenting or attending oral argument in:

- *Texas Education Agency v. U.S. Department of Education*, No. 18-60500 (5th Cir.) (oral argument Oct. 3, 2018)
- *Tarrant Regional Water District v. Johnson*, No. 17-0095 (Tex.) (oral argument Oct. 30, 2018)
- *Whole Woman's Health v. Paxton*, No. 17-51060 (5th Cir.) (oral argument week of Nov. 5, 2018)

Preparation of briefing in:

- *Apple Inc. v. Pepper*, No. 17-204 (U.S.): brief due October 1, 2018
- *United States v. California*, No. 18-16496 (9th Cir.): brief due September 25, 2018
- *Gamble v. United States*, No. 17-646 (U.S.): brief due November 1, 2018
- *Whole Woman's Health Alliance v. Paxton*, (W.D. Tex.): reply brief due October 5, 2018
- *Tarrant Regional Water District v. Johnson*, No. 17-0095 (Tex.): brief filed September 14, 2018

III.

For these reasons, the State respectfully requests that the Court grant a one-month extension of the time to file the State's response to petitioners' motion for rehearing by 30 days, creating a new deadline of October 26, 2018.

Respectfully submitted.

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Certificate of Conference

I certify that no party opposes the relief requested in this motion.

/s/ Kyle D. Hawkins
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Certificate of Service

I certify that, on September 20, 2018, this document was served upon:

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