

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 Petition for Review**

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 the petition for review by two weeks, to December 19, 2016.

I.

The State's response to the petition for review is currently due on December 5, 2016. The State seeks a two-week extension, creating a new deadline of December 19, 2016. This is the State's first extension request. No party opposes this request.

II.

This extension is sought to accommodate the schedule of the undersigned counsel, who is staffed on several other matters active during the current time frame for preparing the response, and to accommodate the availability of counsel and support staff in the Office of the Solicitor General around the Thanksgiving holiday.

III.

For these reasons, the State respectfully requests that the Court grant a two-week extension of the time to file the State's response to the petition for review, creating a new deadline of December 19, 2016.

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

SCOTT A. KELLER
Solicitor General

JEFFREY C. MATEER
First Assistant Attorney General

/s/ J. Campbell Barker
J. CAMPBELL BARKER
Deputy Solicitor General
State Bar No. 24049125
cam.barker@texasattorneygeneral.gov

Office of the Attorney General
P.O. Box 12548 (MC 059)
Austin, Texas 78711-2548
Tel.: (512) 936-1827
Fax: (512) 474-2697

Counsel for the State of Texas

Certificate of Conference

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

/s/ J. Campbell Barker
J. CAMPBELL BARKER
Counsel for the State of Texas

Certificate of Service

I certify that, on November 16, 2016, this document was served upon:

Jason Ray
Riggs & Ray, P.C.
506 W. 14th Street, Suite A
Austin, Texas 78701
Telephone: (512) 457-9806
Facsimile: (512) 457-9866
jray@r-alaw.com

Counsel for Dr. Behzad Nazari, D.D.S. et al.

J. Woodfin Jones
Alexander Dubose Jefferson &
Townsend, LLP
515 Congress Avenue, Ste. 2350
Austin, Texas 78701-3562
(512) 482-9300
wjones@adjtlaw.com

W. Curt Webb
Constance H. Pfeiffer
Beck Redden, LLP
1221 McKinney Street, Suite 4500
Houston, Texas 77010
Telephone: (713) 951-3700
Facsimile: (713) 951-3720
cwebb@beckredden.com
cpfeiffer@beckredden.com

Robert C. Walters
Gibson, Dunn, & Crutcher, LLP
2100 McKinney Ave., Ste. 1100
Dallas, Texas 75201
Telephone: (214) 698-3100
Facsimile: (214) 571-2900
RWalters@gibsondunn.com

Eric J. R. Nichols
Christopher R. Cowan
Beck Redden, LLP
515 Congress Avenue, Suite 1750
Austin, Texas 78701
Telephone: (512) 708-1000
Facsimile: (512) 708-1002
enichols@beckredden.com
ccowan@beckredden.com
Counsel for Xerox Corporation, et al.

Robert M. Anderton
Mark J. Hanna
Law Offices of
Hanna & Anderton
900 Congress Avenue, Suite 250
Austin, Texas 78701
Telephone: (512) 477-6200

Richard B. Pecore
Liles Parker, PLLC
3400 N. McColl Rd., Suite F-35
McAllen, Texas 78501
Telephone: (202) 298-9750
Facsimile: (202) 337-5804

Facsimile: (512) 477-1188
andertonr@msn.com
mhanna@markjhanna.com

*Counsel for Richard F. Herrscher, DDS,
MMSC, PC and Dr. Richard F. Herrscher*

J.A. "Tony" Canales
Canales & Simonson, P.C.
2601 Morgan Ave.
P.O. Box 5624
Corpus Christi, Texas 78465-5624
Telephone: (361) 883-0601
Facsimile: (361) 884-7023
tonycanales@canalessimonson.com

*Counsel for M&M Orthodontics, P.A.,
Dr. Scott Malone, Dr. Diana Malone,
Michelle Smith, National Orthodontix
Mgmt., PLLC and Dr. John Vondrak*

Oscar X. Garcia
Law Offices of Oscar X. Garcia
302 Kings Highway, Suite 112
Brownsville, Texas 78521
Telephone: (956) 554-3000
Facsimile: (956) 554-3248
oxgarcia@aol.com

Counsel for Dr. Vivian Teegardin

rpecore@lilesarker.com

*Counsel for RGV Smiles by Rocky
Salinas, DDS PA, and Dr. Rocky
Salinas*

Philip H. Hilder
William B. Graham
Hilder & Associates, PC
819 Lovett Boulevard
Houston, Texas 77006
Telephone: (713) 234-1416
Facsimile: (713) 655-9112
philip@hilderlaw.com
will@hilderlaw.com

Counsel for Dr. Wael Kanaan

/s/ J. Campbell Barker
J. CAMPBELL BARKER
Counsel for the State of Texas