

NO. 16-0549

In the Supreme Court of Texas

DR. BEHZAD NAZARI, D.D.S., ET AL
Petitioners,

v.

THE STATE OF TEXAS and ACS STATE HEALTHCARE, LLC
Respondents.

No. 03-15-00252-CV in the Third Court of Appeals
No. D-1-GN-14-005380 in the 53rd District Court of Travis County

UNOPPOSED MOTION TO EXTEND TIME TO
FILE MERITS BRIEF

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TO THE HONORABLE TEXAS SUPREME COURT:

COMES NOW, Petitioners, Dr. Behzad Nazari, D.D.S., et al. and file this, their Unopposed Motion to Extend Time to File the Petitioners' Brief on the Merits, and would show as follows:

I.

On February 17, 2017 via e-correspondence from the Clerk of this Court Petitioners' deadline to file their Brief on the Merits was set for March 20, 2017. Petitioners seek a 30 day extension, creating a new deadline of April 19, 2017. This is the Petitioner'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 brief on the merits, including:

- *State v. Xerox Corporation, et al*, D-1-GV-14-00581: preparation for seven days of previously noticed depositions, which occurred and will occur on February 28, March 1, 2, 3, 8, 9, and 29;
- *Dentistry of Brownsville, PC, et al v. Texas Health and Human Services Commission, et al*, D-1-GN-005358: drafting

application for and preparation for a hearing on temporary restraining order on February 27, 2017;

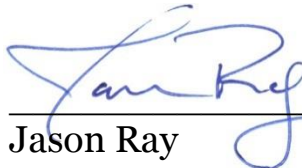
- *Shamrock Psychiatric, P.A. v. Texas Department of Health and Human Services*, No. 16-0890 (Tex): Reply to Petition for Discretionary Review due March 9, 2017;
- *San Jose Nursing Center v. Texas Department of Aging and Disability Services*, SOAH Docket No. 539-16-0292: Witness and trial preparation for two day merits hearing March 22-23, 2017.

An extension would permit counsel to prepare a more comprehensive brief.

III. PRAYER

For these reasons, Petitioners' request that this Court grant a 30-day extension of time to file their brief on the merits, creating a new deadline of April 19, 2017.


Respectfully Submitted,



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CERTIFICATE OF CONFERENCE

I communicated by phone on March 2, 2017 with opposing counsel for the State of Texas, Cam Barker and with opposing counsel for ACS State Healthcare, Connie Pfeiffer and they advised that they do not oppose this motion.




Jason Ray

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served by eFile TX and Fax on March 6, 2017 to the following:

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