UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

Case No. 3:21-cv-173-KC

THE STATE OF TEXAS; GREG ABBOTT, in
his official capacity as Governor of Texas,

Defendants.

TEXAS'S UNOPPOSED MOTION FOR LEAVE TO FILE RESPONSE IN EXCESS OF PAGE LIMITS

Defendants State of Texas and Greg Abbott, in his official capacity as Governor of Texas, acting by and through the Attorney General of Texas, Ken Paxton, respectfully submit this Motion for Leave to file Defendants' Response in Opposition to Plaintiff's Motion for an Emergency Temporary Restraining Order or Preliminary Injunction in excess of the Court's twenty-page limit set forth in Local Rule CV-7(d)(3). Defendants file this motion in the interest of justice. Due to the nature and complexity of this case, additional pages are necessary to fully brief the issues raised in Plaintiff's pleading and to provide the Court with as much information as possible before it makes a decision on whether to take the extraordinary step of enjoining an executive order issued pursuant to the Governor's emergency powers .

Plaintiff does not oppose this request for additional pages.

Based on the foregoing, Defendants respectfully request that their motion for leave to file a response in excess of the page limits be granted and that the clerk file their Response to Plaintiff's

Emergency Motion for a Temporary Restraining Order or Preliminary Injunction filed August 2, 2021 (ECF 9).

Date: August 2, 2021

Respectfully submitted.

KEN PAXTON

Attorney General of Texas

/s/ Patrick K. Sweeten
Patrick K. Sweeten

Brent Webster

First Assistant Attorney General

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COUNSEL FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

I certify that, on August 2, 2021, co-counsel William T. Thompson conferred with Plaintiff's counsel, who represented that the Plaintiff did not oppose this motion.

/s/ Patrick K. Sweeten
Patrick K. Sweeten

CERTIFICATE OF SERVICE

I certify that on August 2, 2021, a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) and served on all counsel of record.

/s/ Patrick K. Sweeten
Patrick K. Sweeten