

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

SEALED PLAINTIFF 1,)	
)	
and)	
)	
SEALED PLAINTIFF 2,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:22cv670-MHL
)	
PATRIOT FRONT, et al.,)	
)	
Defendants.)	

**AGREED MOTION FOR EXTENSION OF TIME
AND INCORPORATED MEMORANDUM**

Plaintiffs, by counsel and pursuant to Fed. R. Civ. P. 6(b)(1) and Local Civil Rule 7(F)(2)(b), hereby move this Court for an extension of time, up to and including March 29, 2023, within which to file a brief in opposition to the motion to dismiss filed by Defendants Nathan Noyce and Thomas Dail. Plaintiffs state in support of this unopposed motion:

1. Defendants Noyce and Dail filed and served a Rule 12(b)(6) motion to dismiss on March 1, 2023.
2. Plaintiffs’ brief in opposition to the motion is currently due by March 15, 2023.
3. Plaintiffs request a two-week extension of that deadline, until March 29, 2023. The motion raises several constitutional and statutory grounds, and Plaintiffs desire sufficient time to prepare a thorough brief for the Court addressing those grounds. Also, Plaintiffs understand that counsel for Noyce and Dail may represent two additional defendants, Paul Gancarz and Daniel Turechi and, if so, those Defendants are likely to file a motion to dismiss adopting the pending motion to dismiss without additional grounds. An extension would allow Plaintiffs to confirm no

new grounds are raised and then file a single brief responding to all the four Defendants' motions to dismiss. We also are advised that Defendant Gancarz may file a separate motion based on insufficiency of service of process, which would be subject to a separate briefing schedule.

4. No prior motions for extension of time have been made for Plaintiff's brief.
5. This extension is not meant for improper delay of this proceeding.
6. Counsel for Defendants Noyce and Dail have told Plaintiffs' counsel that they consent to this motion.

WHEREFORE, Plaintiffs requests that this Court grant then an extension of time up to and including March 29, 2023 to file a brief in opposition to the pending motion to dismiss. A proposed order is attached.

Respectfully submitted,

By: /s/Michael R. Shebelskie
Counsel

Michael R. Shebelskie (VSB No. 27459)
HUNTON ANDREWS KURTH LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074
Telephone: (804) 788-8200
Facsimile: (804) 788-8218
mshebelskie@HuntonAK.com

Edward G. Caspar (pro hac vice)
DC Bar No. 1644168
Arthur Ago (pro hac vice)
DC Bar No. 463681
Arusha Gordon (pro hac vice)
DC Bar No. 1035129
LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW
1500 K Street, NW, Suite 900
Washington, DC 20005
Telephone: (202) 662-8600
Facsimile: (202) 783-0857
ecaspar@lawyerscommittee.org
aago@lawyerscommittee.org
agordon@lawyerscommittee.org

[counsel continued on next page]

Ryan P. Phair (pro hac vice)
DC Bar No. 479050
HUNTON ANDREWS KURTH LLP
2200 Pennsylvania Ave, NW Suite 900
Washington, DC 20037-1701
Telephone: (202) 955-1500
Facsimile: (202) 778-2201
rphair@HuntonAK.com

Daniel J. Kramer (pro hac vice)
NY Bar No. 1979392
Joshua Hill (pro hac vice)
NY Bar No. 4297826
Gregory F. Laufer (pro hac vice)
NY Bar No. 4614764
PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 492-0441
dkramer@paulweiss.com
jhill@paulweiss.com
glaufer@paulweiss.com

CERTIFICATE OF SERVICE

I certify that on March 8, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send electronic notification of the same to the following counsel of record:

Bradley P. Marris (VSB No. 25281)
MARRS & HENRY
7202 Glen Forest Drive, Suite 307
Richmond, VA 23226
Telephone: (804) 662-5716
Facsimile: (804) 662-5712
bmarris@marrs-henry.com

Glen Allen (pro hac vice)
GLEN ALLEN LAW
5423 Springlake Way
Baltimore, MD 21212
Telephone: (410) 802-6453
glenallenlaw@protonmail.com

*Counsel for Defendants
Nathan Joyce and Thomas Dail*

I further certify that I emailed the foregoing on March 8, 2023 to the following:

Paul Gancarz at paul.gancarz@proton.me
Daniel Turectchi at balooncastle@gmail.com

/s/Michael R. Shebelskie
Michael R. Shebelskie VSB No. 27459
HUNTON ANDREWS KURTH LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074
Telephone: (804) 788-8200
Facsimile: (804) 788-8218
mshebelskie@HuntonAK.com

Counsel for Plaintiffs

EXHIBIT 1

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SEALED PLAINTIFF 2,)	
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Plaintiffs,)	
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ORDER GRANTING MOTION FOR EXTENSION OF TIME

UPON CONSIDERATION of the Agreed Motion for Extension of Time filed by Sealed Plaintiff 1 and Sealed Plaintiff 2 (collectively “Sealed Plaintiffs”), the entire record herein, and for good cause shown, it is hereby

ORDERED, ADJUDGED AND DECREED that the Motion to GRANTED; and it is further

ORDERED, ADJUDGED AND DECREED that Sealed Plaintiffs shall have up to an including March 29, 2023 to respond to the pending motion to dismiss by Defendants Nathan Noyce and Thomas Dail.

It is so Ordered this _____ day of March, 2023.

United States District Judge