

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NO. 11-16358

RIGHTHAVEN LLC,
Appellant

v.

CENTER FOR INTERCULTURAL ORGANIZING, and KAYSE JAMA,
Appellees

**DECLARATION OF SHAWN A. MANGANO, ESQ. IN SUPPORT OF
MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF
PURSUANT TO CIRCUIT RULE 31-2.2(b)**

Appeal from the United States District Court for the District of Nevada
Case No. 2:11-cv-01322-JCM-LRL

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Attorney for Appellant Righthaven LLC

I, Shawn A. Mangano, Esq., declare, under penalty of perjury, that the following is true and correct:

1. I am an attorney-at-law admitted to practice before all courts of the State of Nevada. I have personal knowledge of the facts set forth below, except for those factual statements expressly made upon information and belief, and as to those facts, I believe them to be true. I am over eighteen years old and I am competent to testify to the matters set forth herein.

2. I represent Appellant Righthaven LLC (“Righthaven”) in the above-referenced matter.

3. This declaration is in support of Righthaven’s motion for an extension of time to file its opening brief pursuant to Circuit Rule 31-2.2(b) (the “Motion”). The Motion requests an 8-day extension of time for Righthaven to file its opening brief in this appeal. If the Motion is granted, Righthaven will file its opening brief on or before November 22, 2011.

4. Righthaven’s request for an extension of time is supported by diligence and substantial need. I have been waiting for a date from my doctor to have a surgical procedure performed based on a medical necessity. I have been advised that this surgical procedure will be performed tomorrow, November 15, 2011. Due to scheduling conflicts between the surgical center and my surgeon, I was only recently advised that the procedure will be performed tomorrow morning.

As a result, I have had to diligently work to adjust my calendar and to tend to urgent client matters before undergoing the operation. I have additionally been required to tend to pre-operative issues and administrative matters in a short period of time that has resulted in my inability to meet the November 14, 2011 opening brief filing date in this matter.

5. Righthaven's opening brief was due on Monday, November 14, 2011. This was following a 14-day telephonic extension of time that was granted for Righthaven to file its opening brief in this appeal.

6. Righthaven hereby requests an 8-day extension of time to file its opening brief.

7. As set forth herein, Righthaven and its counsel have exercised diligence and the opening brief will be filed on or before November 22, 2011 should its Motion be granted.

8. Opposing counsel consented to the requested extension of time.

9. The Court reporter is not in default as Righthaven has not designated any transcripts for this appeal.

Signed and affirmed this 14th day of November, 2011.

/s/ Shawn A. Mangano
SHAWN A. MANGANO, ESQ.