

No. 17-35105

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

STATE OF WASHINGTON, et al.,
Plaintiffs-Appellees, v.

DONALD TRUMP, President of the United States, et
al., Defendant-Appellants.

ON APPEAL FROM THE UNITED STATES
DISTRICT COURT FOR THE WESTERN
DISTRICT OF WASHINGTON

**MOTION FOR EXTENSION OF TIME TO FILE
AMICUS CURIAE BRIEF OF THE ANTI-
DEFAMATION LEAGUE IN SUPPORT OF THE
PLAINTIFFS-APPELLEES**

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MOTION TO EXTEND TIME & DEEM BRIEF TIMELY-FILED

The undersigned respectfully moves this Court for a request an extension of time to file the amicus curiae brief concurrently filed and for an order deeming the brief timely filed. This motion is filed pursuant Federal Rules of Appellate Procedure 29 and/or 26(a)(3) and/or 26 (b) and/or based upon the Court’s power to grant equitable relief, for good cause shown, and the declaration of Shelley A. Carder (“SAC Declaration”), filed concurrently with this motion.

All parties consented to the submission of amici briefs in this case up to midnight on February 5, 2017 and due to scheduled ECF maintenance, the Court extended the filing deadline to 1:00 a.m. PST on February 6, 2017. Due to the technical problems with access to the ECF filing system, as outlined in the SAC Declaration, the ADL *amicus curiae* brief was not timely filed. In addition, the documents were later rejected as they were not separately-filed and it was missing the motion for leave to file. These problems are corrected with this filing.

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The ADL respectfully requests this Court issue an order extending the time for the ADL to file the *amicus curiae* brief concurrently-filed with this motion and/or to deem the brief timely-filed.

Dated: February 6, 2017

Respectfully submitted,

/s/ Shelley A. Carder

/s/ John B. Harris

/s/ Steven M. Freeman

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CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2017, I electronically filed the foregoing with the Clerk of the court for the United States Court of Appeals for the Ninth Circuit using the appellate CM/ECF system.

I certify that I am a registered CM/ECF user and that all parties have registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated: February 6, 2017

/s/Richard D. Barton

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