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6 **UNITED STATES DISTRICT COURT**
 7 **DISTRICT OF NEVADA**

8 MICHAEL J. WELLS,

9 Plaintiff,

10 v.

11 ISABELLA CASILLAS GUZMAN,
 12 Administrator of the U.S. SMALL
 13 BUSINESS ADMINISTRATION, *et al.*,

14 Defendants.

Case No. 3:19-cv-00407-MMD-CLB

**Order Granting Stipulation and Order to
 Extend Deadline for Plaintiff to File a
 Reply to Defendant's Response to
 Plaintiff's Motion to Stay the Final Order
 (ECF No. 82) and Judgment (ECF No. 83)
 Pending Appeal**

(Second Request)

15 Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Rule IA 6-1 of this Court's
 16 Local Rules, the parties, through undersigned counsel, stipulate to a thirty day extension, from September
 17 4, 2024, to October 4, 2024, for Plaintiff to reply to Federal Defendant's Response to Plaintiff's motion to
 18 stay the final order (ECF No. 82) and judgment (ECF No. 83) pending appeal ("plaintiff's motion to
 19 stay.") The current deadline to file a response is September 4, 2024. This is the second request for an
 20 extension.

21 On July 31, 2024, Pro Se Plaintiff Michael Wells and undersigned counsel for the Federal
 22 Defendant conferred via email and agreed to an extension of thirty days for Plaintiff to file a reply to
 23 Defendant's Response to Plaintiff's motion to stay. The purpose of the extension is due to the following
 24 reasons: 1. Wells is employed by a Teamsters Union workplace and in the last scheduling bid, Wells
 25 weekly work requirement was increased from 24 hours per week to 40 hours per week.; 2. Since *Loper*
 26 *Bright Enters. v. Raimondo*, Sec'y of Commerce, No. 22-451 (June 28, 2024) and *Jarkesy v. Sec. & Exch.*
 27 *Comm'n*, 803 F.3d 9 (D.C. Cir. 2015) were decided late last June, *Loper Bright* has been cited 102 times
 28 and *Jarkesy* has been cited 8 times. It is now clear to me that both are on point in this case and the citing
 cases provide additional clarity for my arguments and I need additional time to include them in my Reply.

1 3. Wells has recently been diagnosed with prostate cancer and his medical calendar has become very
2 active. Extending the deadline will provide the necessary time for the Federal Plaintiff to evaluate the
3 arguments made in Defendant's Response to Plaintiff's motion and to prepare a Reply to the same. This
4 stipulated request is filed in good faith and not for the purposes of undue delay.

5 Respectfully submitted this 29th day of September 2024.

6
7 JASON M. FRIERSON
United States Attorney

8 /s/Virginia T. Tomova
9 VIRGINIA T. TOMOVA
Assistant United States Attorney
10 Attorneys for the Federal Defendant

/s/Michael J Wells
Michael J. Wells in pro se

11
12 IT IS SO ORDERED:

13 

14 _____
UNITED STATES DISTRICT JUDGE

15 DATED: August 30, 2024