

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

No. 19-2244

PAUL MARAVELIAS

Plaintiff-Appellant

v.

JOHN J. COUGHLIN, ET AL.

Defendants-Appellees

**JOINT ASSENTED-TO MOTION TO  
EXTEND DEADLINE FOR REPLY BRIEF**

The Defendants-Appellees (the “Appellees”), by and through their respective counsel, jointly move to extend their briefing deadline by 45 days, from June 12 until July 27, 2020. In support of this request, the Appellees state as follows:

1. Plaintiff-Appellant Paul Maravelias filed his brief in this matter on May 13, 2020. Per Federal Rule of Appellate Procedure 31(a)(1), the Appellees’ briefs are due on June 12, 2020.

2. The Appellees anticipate consolidating their briefing in this matter and potentially filing a single joint brief. In light of logistical constraints caused by the Covid-19 pandemic, however, the Appellees request that the Court extend their deadline to file their brief or briefs by 45 days.

3. Most of Appellees' counsel are working remotely, which has limited their access to litigation resources. Some of Appellees' counsel have also assumed additional, unanticipated childcare duties when their primary childcare options became unavailable due to the pandemic.

4. Additionally, counsel for Appellee Gordon J. MacDonald was scheduled to have trial beginning on June 1, 2020, in the United States District Court for the District of New Hampshire in a case involving a voting-rights challenge to a New Hampshire law. That case proceeded on an expedited basis, with the parties completing significant discovery, including at least 12 video or telephone depositions, during April 2020. Counsel for Appellee MacDonald spent much of May preparing for trial, which was scheduled to last at least five days and, because of the pandemic, to proceed remotely via Zoom. On May 22, the parties entered a stipulation of dismissal following the New Hampshire Supreme Court's opinion answering several questions of state law that the United States District Court had certified. At that time, Counsel for Appellee MacDonald had already secured the extension of numerous other litigation deadlines in anticipation that the trial would proceed. Those deadlines now conflict with the deadline in the instant appeal, which Appellee MacDonald has not previously sought to extend.

5. Counsel for Appellee MacDonald and Counsel for Appellee John Coughlin have also assumed unanticipated obligations as a direct result of the

Covid-19 pandemic. Counsel for Appellee Coughlin has been temporarily reassigned to the New Hampshire Governor's Office for Emergency Relief and Recovery, where she is working full time as part of state response to the pandemic. Counsel for Appellee MacDonald has been involved, both directly and indirectly, in emergency litigation arising out of the pandemic.

6. Similarly, counsel for the Town of Windham, the Windham Police Department, and Chief Gerald Lewis has also had to assume unanticipated obligations as a direct result of the Covid-19 pandemic, which has impacted nearly all facets of municipal practice in New Hampshire, with specific attention to frequent and time-sensitive employment matters.

7. In light of the above circumstances, good cause exists to grant the Appellees their request extension.

8. Counsel for the Appellees' have conferred with Mr. Maravelias, who assents to the requested relief.

WHEREFORE, the Defendants-Appellees respectfully request that this honorable court:

- A. Grant this motion;
- B. Extend their deadline to file their brief or briefs by 45 days until July 27, 2020; and
- B. Grant such other and further relief as is just and equitable.

Respectfully submitted,

GORDON J. MACDONALD, NEW  
HAMPSHIRE ATTORNEY GENERAL

By his attorney,

THE OFFICE OF THE NEW HAMPSHIRE  
ATTORNEY GENERAL

Date: June 11, 2020

/s/ Samuel R.V. Garland  
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*and*

HON. JOHN J. COUGHLIN

By his attorney,

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Date: June 11, 2020

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PATRICIA CONWAY, ROCKINGHAM  
COUNTY ATTORNEY, IN HER  
OFFICIAL CAPACITY

By her attorney,

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Date: June 11, 2020

/s/ Christopher Cole

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*and*

TOWN OF WINDHAM, ex. rel.  
WINDHAM POLICE DEPARTMENT, and  
GERALD S. LEWIS

By their attorneys,

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Date: June 11, 2020

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### **Certificate of Service**

I hereby certify that a copy of the foregoing has been served by use of the Court's CM/ECF system this day on all counsel of record and Paul Maravelias, pro se.

Date: June 11, 2020

/s/Samuel R.V. Garland  
Samuel R.V. Garland