

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
TOPEKA DIVISION

CATO INSTITUTE,

Plaintiff,

v.

U.S. DEPARTMENT OF EDUCATION, *et al.*,

Defendants.

Case No. 5:22-cv-04055-TC-RES

DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES

Defendants hereby move the Court for leave to file a brief in opposition to Plaintiff's motion for a temporary restraining order and preliminary injunction that exceeds the 30-page default limit set by Local Rule 7.1(e). Specifically, Defendants request leave to file a brief of up to 45 pages.

Good cause exists for this page extension. First, permitting Defendants to file an opposition brief of up to 45 pages would match the number of pages allocated to Plaintiff for its opening briefs. *See* ECF No. 13-1 (30 pages for Plaintiff's first brief); ECF No. 25 (15 pages for Plaintiff's supplemental brief on standing and scope of relief). Second, the requested page extension would allow Defendants to give a fulsome presentation of their position on the significant and complex legal issues—issues concerning constitutional law, administrative law, federal court jurisdiction, and remedies—that are raised in this case. *Cf.* Transcript, ECF No. 20, at 6–7 (requesting “more fulsome” briefing and noting that certain aspects of this case are “intellectually challenging”). And third, no party will be prejudiced by this unopposed page extension.

So that they may have an equal and full opportunity to present their arguments concerning Plaintiff's motion, Defendants request that the Court allow them to file a brief in opposition of up to 45 pages.

Dated: November 1, 2022

Respectfully submitted,

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Assistant Branch Director

/s/ Cody T. Knapp

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CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically serve a copy to all counsel of record.

/s/ Cody T. Knapp
CODY T. KNAPP