

S.C. 19832
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DONNA L. SOTO, ADMINISTRATRIX OF)	SUPREME COURT
THE ESTATE OF VICTORIA L. SOTO, ET AL,)	
Plaintiffs/Appellants)	STATE OF CONNECTICUT
v.)	
)	
BUSHMASTER FIREARMS INTERNATIONAL,)	
LLC, A/K/A, ET AL,)	
Defendants/Appellees)	APRIL 19, 2017

MOTION FOR EXTENSION OF TIME AND REVISED BRIEFING SCHEDULE

Pursuant to Rule of Appellate Procedure 66-1, defendants-appellees move for an extension of time of nine (9) days from May 1, 2017 to May 10, 2017, in which to file their brief, and for entry of a revised briefing schedule requiring that plaintiffs' reply brief be filed on or before June 9, 2017. Plaintiffs-appellants consent to this motion and proposed revised briefing schedule. A copy of this motion has been delivered to each of the defendants who are parties to this appeal.

I. Brief History of the Case

This case arises from the shooting at Sandy Hook Elementary School in 2012. The trial court granted defendants' motions to strike plaintiffs' First Amended Complaint and entered judgments in defendants' favor on November 1 and 18, 2016. Plaintiffs appealed both judgments, and the appeals were transferred to this Court on November 29, 2016. On December 2, 2016, the Court stayed briefing pending completion of a pre-argument

conference. On January 24, 2017, the Court consolidated the appeals under docket number 19832. On February 1, 2017, the Court ordered that plaintiffs' opening brief was to be filed on or before March 1, 2017; defendants' brief was to be filed on or before May 1, 2017; and plaintiffs' reply brief was to be filed on or before June 1, 2017. Plaintiffs filed their opening brief on March 1, 2017.

In March 2017, eight applications to appear as *amici curiae* in support of plaintiffs' position were filed in this Court. Each application was granted by the Court. One *amicus curiae* was ordered by the Court to file its brief on or before April 11, 2017 (Trinity Church Wall Street); three were ordered to file their briefs on or before April 24, 2017 (Emergency Room Physicians; Law Professors; and Law Center to Prevent Gun Violence); one was ordered to file its brief on or before April 25, 2017 (Brady Center to Prevent Gun Violence); and three were ordered to file their briefs on or before May 1, 2017 (State of Connecticut, Department of Consumer Protection; Newtown Action Alliance; and Connecticut Against Gun Violence). Defendants have received copies of briefs served by four *amici curiae*. (Trinity Church Wall Street; Emergency Room Physicians; Law Professors and Law Center to Prevent Gun Violence). Defendants have not yet been served with briefs by the other four *amici curiae*.

II. Specific Facts Relied On

Defendants have cooperated and completed a near final draft of a consolidated brief.

Defendants' draft brief, however, does not and cannot address matters raised by four of eight *amici curiae* who have appeared to support plaintiffs' positions because their briefs have not yet been filed or served. One of those briefs is due just a few business days before May 1, 2017, the date by which defendants' consolidated brief is to be filed and served. Three of those briefs are not due to be filed until May 1, 2017. Until defendants have reviewed these four not-yet-filed briefs, they do not know whether they will need to respond to matters raised by these *amici curiae*. Fairness dictates that defendants be given a reasonable amount of time before the deadline for filing their consolidated brief to carefully review and consider all briefs filed in support of plaintiffs' position. Defendants believe they can review the four not-yet-filed briefs and, if need be, collaborate and prepare responses to matters raised in those briefs on or before May 10, 2017.

III. Legal Grounds Relied On

This motion is filed pursuant to Rule of Appellate Procedure 66-1.

IV. Conclusion

Defendants respectfully move the Court for an extension of time to file their Consolidated Brief until May 10, 2017, and that the Court likewise extend the time for

Plaintiffs to file their Reply Brief until June 9, 2017.

Respectfully submitted,

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CERTIFICATION OF SERVICE AND COMPLIANCE

The undersigned hereby certifies, pursuant to Practice Book Section 62-7, as follows: (1) a copy of the foregoing Motion has delivered by email and United States Mail to the counsel of record listed below on this 19th day of April, 2017; (2) the document has been redacted or does not contain any names or other personal identifying information that is prohibited from disclosure by rule, statute, court order or case law; (3) that the document complies will all applicable rules of appellate procedure; and (4) that a copy of this Motion has been delivered to each of the Defendants who are parties to this appeal.

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