

Nos. 19-1081(L), 19-1083

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

National Veterans Legal Services Program, *et al.*
Plaintiffs-Appellants,

v.

United States of America,
Cross-Appellant.

**DECLARATION OF DEEPAK GUPTA IN SUPPORT OF PLAINTIFFS-
APPELLANTS' MOTION FOR AN EXTENSION OF TIME**

I, Deepak Gupta, hereby declare:

1. I am a member in good standing of the bar of the District of Columbia and of this Court and the founding Principal of Gupta Wessler PLLC.

2. There is good cause for plaintiffs-appellants' request for a 30-day extension of time to file their opening brief, as follows.

3. My firm has primary responsibility for drafting the opening brief in this appeal, in collaboration with co-counsel at the Motley Rice firm. We have several pressing obligations that have taken up and will continue to take up substantial time over the next month. These obligations include:

- A brief due in the Ninth Circuit on November 27 in *Flanagan v. Becerra*, No. 18-3390 (9th Cir.);

- A reply brief in support of a preliminary-injunction motion due on December 3 in *Gabbard v. Madison County*, No. 2018-09-2028 (Butler Cnty. Ct. Common P., Ohio);
- A petition for writ of certiorari in the U.S. Supreme Court due on December 3 in *Rentmeester v. Nike*, No. 18A328;
- An oral argument on December 7 in *Youth for Environmental Justice, et al. v. City of Los Angeles*, Nos. B282822, B285491 (Cal. Ct. App.);
- A brief due on December 17 in *Kraukauer v. DISH Network*, No. 18-1518 (4th Cir.);
- A brief due on December 20 in *Williams v. Big Picture Loans*, No. 18-1827 (4th Cir.); and
- A merits brief as Court-appointed amicus due in the U.S. Supreme Court on January 16, 2019 (*Smith v. Berryhill*, No. 17-1606).

4. In addition, counsel for the appellants have previously scheduled personal travel over the December holiday period.

I declare under penalty of perjury under 28 U.S.C. §1746 that the above is true and accurate to the best of my knowledge. Executed in Washington, DC, on this 26th day of November, 2018.

/s/ Deepak Gupta

CERTIFICATE OF SERVICE

I hereby certify that on November 26, 2018, I electronically filed the foregoing declaration with the Clerk of the Court for the U.S. Court of Appeals for the Federal Circuit by using the CM/ECF system. All participants have consented to service by electronic mail:

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/s/ Deepak Gupta
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