

No. 20-6044

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**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

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MARK E. SCHELL,

*Plaintiff-Appellant,*

v.

THE CHIEF JUSTICE AND JUSTICES OF THE OKLAHOMA SUPREME COURT, THE  
MEMBERS OF THE OKLAHOMA BAR ASSOCIATION’S BOARD OF GOVERNORS; JOHN  
M. WILLIAMS, EXECUTIVE DIRECTOR OF THE OKLAHOMA BAR ASSOCIATION,

*Defendants-Appellees.*

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On Appeal from the United States District Court  
for the Western District of Oklahoma, No. 5:19-cv-00281-F  
Before the Honorable Joe Heaton

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**UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO FILE RESPONSE TO REHEARING PETITION**

Pursuant to Federal Rule of Appellate Procedure 27 and Circuit Rule 27,  
defendants request a 14-day extension of time, to and including Monday, August 9,  
to file a response to plaintiff’s petition for panel rehearing or rehearing en banc.  
Plaintiff consents to this request.

Defendants—who have not previously sought an extension throughout this  
appeal—request a 14-day extension to accommodate counsel’s other professional  
obligations, including deadlines that cannot be moved. Specifically, undersigned

counsel has an oral argument in the California Court of Appeal next Thursday, July 22, in *Intuit Inc. v. 9,933 Individuals*, No. B308417; a petition for certiorari due in the U.S. Supreme Court the next day (July 23) in *NC Financial Solutions of Utah, LLC v. Commonwealth of Virginia ex rel. Mark R. Herring, Attorney General* (from Virginia Supreme Court case number 190840); and a brief due in the D.C. Circuit the following Monday, July 26 (the current deadline for the rehearing response here), in *Northstar Wireless LLC v. Federal Communications Commission*, Nos. 18-1209, 18-1210, 20-1507, and 20-1508.

If the requested extension is granted, no further extension will be sought.

As noted, plaintiff consents to this extension request.

July 14, 2021

Respectfully submitted,

/s/Daniel S. Volchok  
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### **CERTIFICATE OF COMPLIANCE**

This motion complies with the type-volume limitations of Federal Rule of Appellate Procedure 27(d)(1)(E) and (d)(2)(A) in that it has been prepared with a proportionally spaced typeface in Microsoft Word, namely, Times New Roman size 14 font, and according to Microsoft Word, it contains 191 words (excluding the portions exempted by Rule 32(f))

/s/ Daniel S. Volchok

DANIEL S. VOLCHOK

### **CERTIFICATE OF DIGITAL SUBMISSION**

I hereby certify that all required privacy redactions have been made per Circuit Rule 25.5; this electronic submission is identical to any hard copies that may be required; and Cylance Protect, Version 2.1.1574.39, which is current as of today's date, is used to scan for viruses and has identified no viruses in this submission.

/s/ Daniel S. Volchok

DANIEL S. VOLCHOK

## CERTIFICATE OF SERVICE

On this 14th day of July 2021, I electronically filed the foregoing using the Court's appellate CM/ECF system. Counsel for all parties to the case who are registered CM/ECF users will be served by that system.

/s/ Daniel S. Volchok

DANIEL S. VOLCHOK