

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

Blue Flame Medical LLC,
Plaintiff-Appellant,

v.

Chain Bridge Bank, N.A.,
Defendant and Third-Party Plaintiff-Appellee,
John J. Brough; David M. Evinger,
Defendants-Appellees,

v.

JPMorgan Chase Bank, N.A.,
Third-Party Defendant.

No. 21-2218 (L)
(1:20-cv-00658-LMB-IDD)

Blue Flame Medical LLC,
Plaintiff,

v.

Chain Bridge Bank, N.A.,
Defendant and Third-Party Plaintiff-Appellee,
John J. Brough; David M. Evinger,
Defendants,

v.

JPMorgan Chase Bank, N.A.,
Third-Party Defendant-Appellant.

No. 21-2219
(1:20-cv-00658-LMB-IDD)

UNOPPOSED MOTION TO EXTEND TIME TO FILE REPLY BRIEFS

Plaintiff-Appellant Blue Flame Medical LLC respectfully moves this Court, pursuant to Federal Rules of Appellate Procedure 26(b) and 31 and Local Rule 31(c), for a 14-day extension of time to file its brief, from Monday, February 28, 2020, to Monday, March 14, 2020. All other parties have consented to this motion. Third-

Party Defendant-Appellant JPMorgan Chase Bank, N.A. joins in this motion for extension for its reply brief, currently due the same day as Plaintiff-Appellant's reply brief, to avoid a staggered briefing schedule.

For Plaintiff-Appellant, the brief extension of time requested is supported by extraordinary circumstances. The briefing from the appellees was of unusual length because this case involves a multiparty appeal, requiring additional time to consider, research, and respond to all the arguments raised. Moreover, the current deadline falls during an unusually busy period for attorneys handling this matter. In addition to several non-public matters, the time for preparing the reply brief in this matter overlaps with the following public deadlines:

- A petition for a writ of certiorari to the Ninth Circuit in *City of Oakland v. Oakland Raiders*, due March 2, 2022.
- A reply brief in *U.S. Wholesale Outlet & Distribution Inc. v. Innovation Ventures, LLC*, No. 21-55397 (9th Cir.), due March 2, 2022.
- A response and reply brief in *Sonterra Capital Master Fund, Ltd. v. UBS AG*, No. 19-2979 (2d Cir.), due March 18, 2022.
- A response brief in *In re Roundup Products Liability Litigation*, No. 21-16228 (9th Cir.), due March 25, 2022.

- A petition for a writ of certiorari to the Second Circuit in *Schwab Short-Term Bond Market Fund v. Lloyds Banking Group PLC (In re LIBOR-Based Financial Instruments Antitrust Litigation)*, due March 30, 2022.
- An opening brief in *Ivie v. AstraZeneca Pharmaceuticals LP*, No. 21-35978 (9th Cir.), due April 4, 2022.

Given the complexity of the issues in this case and these overlapping commitments, the brief extension of time requested is necessary to prepare a concise and fully developed brief that will be maximally helpful to the Court in considering this matter. And as indicated by all parties' consent, no prejudice to any party will result from the requested extension. Pursuant to Local Rule 25(a)(9), undersigned counsel for Blue Flame Medical LLC represents that he has the consent of JPMorgan Chase Bank, N.A. to file this joint motion on their behalf.

CONCLUSION

For the foregoing reasons, Blue Flame Medical LLC and JPMorgan Chase Bank, N.A. respectfully request that the time to file the reply briefs be extended by 14 days to and including March 14, 2022.

February 18, 2022

/s/ Alan Schoenfeld
Alan Schoenfeld
WILMER CUTLER PICKERING HALE
AND DORR LLP
7 World Trade Center
250 Greenwich St.
New York, NY 10007
(212) 230-8800
Counsel for Third-Party Defendant-Appellant JPMorgan Chase Bank, N.A.

Respectfully submitted,

/s/ Eric F. Citron
Eric F. Citron
Kathleen Foley
GOLDSTEIN & RUSSELL, P.C.
7475 Wisconsin Avenue, Suite 850
Bethesda, MD 20814
(202) 362-0636
*Counsel for Plaintiff-Appellant
Blue Flame Medical LLC*

CERTIFICATE OF COMPLIANCE

In accordance with Fed. R. App. P. 32(g)(1), the undersigned certifies that this motion complies with the type-volume limit of Fed. R. App. P. 27(d)(2) because this motion contains 429 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f).

This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word 2016, Times New Roman, 14-pt font.

/s/ Eric F. Citron
February 18, 2022

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Fourth Circuit by using the appellate CM/ECF system on February 18, 2022. All participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

/s/ Eric F. Citron
February 18, 2022