

IN THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

112 GENESEE STREET, LLC, et. al,	)	
	)	
Plaintiff-Appellee,	)	No. 25-1373
	)	
v.	)	
	)	
THE UNITED STATES,	)	
	)	
Defendant-Appellant.	)	

DEFENDANT-APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF
TIME TO FILE REPLY

Pursuant to Fed. R. App. P. 26(b), Defendant-Appellant, the Department of State, respectfully requests that the Court grant a brief extension of one day, to and including May 15, 2025, within which to finalize and to file our reply brief. The current deadline to submit our reply brief is May 14, 2025. This is our first request for an extension of time for this purpose. Counsel for plaintiff-appellee indicated that plaintiffs do not oppose this motion.

As explained in the attached declaration of Margaret J. Jantzen, Senior Trial Counsel, Commercial Litigation Branch, Civil Division, Department of Justice, the extension is necessary because of unexpected system outages which arose during the time that the brief needs to be prepared.

Good cause and extraordinary circumstances support this extension. In the past couple days, the online network that undersigned counsel must access to

conduct research, draft and finalize briefs has experienced outages. Some of these outages have lasted for several hours, while others have resulted in counsel being sporadically logged out of the system and delayed from logging back. In all instances, however, counsel has been prevented from accessing the system and resources needed to complete the brief. The delay in completing the brief impacts our ability to finalize it, in consultation with the agency, and secure the necessary supervisory approval at the Department of Justice.

An extra day will provide the time necessary to finalize the brief in addition to consulting with the agency and securing supervisory approval. For these reasons, we respectfully request that the Court grant our unopposed motion for an extension of one day, to and including May 15, 2025, within which to file our reply brief.

Respectfully submitted,

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Acting Assistant Attorney General

PATRICIA M. McCARTHY
Director

/s/William J. Grimaldi
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/s/Margaret J. Jantzen
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May 12, 2025

Attorneys for Defendant-Appellant

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THE UNITED STATES,	)	
	)	
Defendant-Appellant.	)	

**DECLARATION OF MARGARET J. JANTZEN IN SUPPORT OF
DEFENDANT-APPELLANT'S UNOPPOSED
MOTION FOR AN EXTENSION OF TIME**

I, Margaret J. Jantzen, state the following:

1. I am a senior trial counsel with the Department of Justice, Civil Division, Commercial Litigation Branch, Washington, D.C., and I am defendant-appellant's attorney of record in this case. I submit this declaration pursuant to Federal Circuit Rule 27(b)(1), in support of our request for an extension of time.
2. This extension is necessary because of unexpected system outages which arose during the time that the brief needs to be prepared.
3. In the past couple days, the online network that I must access to conduct research, draft and finalize briefs has experienced outages. Some of these outages have lasted for several hours, while others have resulted in being

sporadically logged out of the system and delayed from logging back. In all instances, however, I have been prevented from accessing the system and resources needed to complete the brief.

4. The delay in completing the brief impacts my ability to finalize it, in consultation with the agency, and secure the necessary supervisory approval at the Department of Justice.

5. An extra day will provide me with the time necessary to finalize the brief in addition to consulting with the agency and securing supervisory approval.

6. I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief.

Executed on May 12, 2025

/s Margaret J. Jantzen

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing complies with the Rules of this Court in that it contains 713 words. This is within the limit of 5,200 words set by Federal Rule of Appellate Procedure (FRAP) Rule 27(d)(2)(A).

/s/Margaret J. Jantzen
MARGARET J. JANTZEN