

## TENTH DISTRICT

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Pursuant to Rule 27(c)(2) of the North Carolina Rules of Appellate Procedure, Plaintiff-Appellee North Carolina State Board of Education moves the Court for a fifteen-day extension of time—up to and including 26 January 2016—in which to file its brief.

In support of this consent motion, the undersigned shows the Court the following:

1. Defendant the North Carolina Rules Review Commission filed its brief on 9 December 2015. The State of North Carolina filed its brief on 14 December 2015. Therefore, the Board's consolidated response brief is due on 11 January 2016.

2. The time period for the Board to prepare its brief falls over the Christmas and New Year's holidays, when the undersigned will be traveling out-of-state to visit family. The undersigned also has significant obligations the first week of January 2016 in a large antitrust matter pending in the U.S. District Court for the Middle District of North Carolina. Accordingly, the undersigned is in need of a modest extension of time to prepare the Board's brief.

3. The undersigned has discussed a fifteen-day extension of time with the Commission's counsel and the State's counsel. The Commission's counsel and the State's counsel graciously consent to the requested extension.

WHEREFORE, the Board respectfully requests that the Court allow it a fifteen-day day extension of time—up to and including 26 January 2016—to file its brief.

Respectfully submitted the 16th day of December , 2015.

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## **CERTIFICATE OF SERVICE**

I certify that I have this day served a copy of the foregoing by depositing a copy thereof in an envelope bearing sufficient postage in the United States mail, addressed to the following person at the following address which is the last address known to me:

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This the 16th day of December, 2015.

s/ Andrew H. Erteschik  
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