

No. 410P18-2 *and* 206PA21

TENTH JUDICIAL DISTRICT

SUPREME COURT OF NORTH CAROLINA

TOWN OF APEX,

Plaintiff-Appellant,

v.

BEVERLY RUBIN,

Defendant-Appellee.

From Wake County

No. COA 20-304

15-CVS-5836

TOWN OF APEX,

Plaintiff-Appellant,

v.

BEVERLY RUBIN,

Defendant-Appellee.

From Wake County

No. COA 20-305

19-CVS-6295

JOINT MOTION TO EXTEND BRIEFING SCHEDULE DEADLINES

NOW COME Plaintiff-Appellant Town of Apex and Defendant-Appellee Beverly Rubin, by and through counsel, pursuant to Rule 27 of the Rules of Appellate Procedure, and hereby move for an extension of time for the briefing schedule. In support of this motion, the parties jointly show as follows:

1. The response briefs for both parties are due to be filed on 1 March 2024 per order of this Court. The time for filing the briefs has not expired.

2. The reply briefs for both parties are due to be filed on 18 March 2024 per order of this Court.

3. The parties move for a one-week extension of time for the response briefs and a one-week extension of time for the reply briefs so that the response briefs will now be due on 8 March 2024 and the reply briefs will be due on 28 March 2024.

4. The parties need additional time to prepare their response briefs due to numerous other appellate filings and duties due this week and next, including an argument in the North Carolina Court of Appeals on 28 February 2024, a motion due in that same court on 29 February 2024, a brief due in that court on 7 March 2024, briefs due in this court on 7 March 2024 and 8 March 2024, and a brief due in the United States Court of Appeals for the Fourth Circuit on 8 March 2024.

WHEREFORE, Plaintiff-Appellant and Defendant-Appellee move the Court for a one-week extension of time up to and including 8 March 2024 to file their response briefs and a one-week extension of time up to and including 25 March 2024 to file their reply briefs.

Respectfully admitted, this the 29th day of February, 2024.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was electronically filed and served this day via email addressed as follows:

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This the 29th day of February, 2024.

/s/ Matthew Nis Leerberg
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