



State of Louisiana
DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
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Jeff Landry
Attorney General

April 13, 2020

By electronic submission and FedEx

The Honorable Scott S. Harris
Clerk of Court, Supreme Court of the United States
1 First Street, NE
Washington, D.C. 20543

Re: *William Pesnell, et al., v. Jill Sessions, et al.* (19-874)

Dear Mr. Harris:

This Court has requested a response from the Respondents, Jill Sessions, et al, in this matter. The brief in opposition is currently due on April 20, 2020. Due to the large amount of COVID-19 related litigation our office is handling, the State requests a second extension of thirty days in which to file its brief in opposition. The new due date would be May 20, 2020.

Respondents have communicated with counsel for the Petitioner, William Pesnell, who said he opposes the State's request because the COVID-19 "issue will likely be recurring in nature given the extended shutdown." *See* Pesnell Correspondence (attached).

Under this Court's Order of March 19, 2020, "motions for extensions of time pursuant to Rule 30.4 will ordinarily be granted by the Clerk as a matter of course if the grounds for the application are difficulties relating to COVID-19 and if the length of the extension requested is reasonable under the circumstances." Supreme Court Order, March, 19, 2020,
https://www.supremecourt.gov/orders/courtorders/031920zr_d1o3.pdf.

The State's request for an additional 30 days is reasonable under the circumstances. The Louisiana Attorney General's office has been inundated with a flood of COVID-19 related litigation over the past several weeks as the State seeks to enforce measures to contain the spread of the disease. This litigation presents complex questions of constitutional law, but none of the issues is time sensitive or urgent.

JEFF LANDRY
ATTORNEY GENERAL

Elizabeth B. Murrill
Solicitor General

cc: Billy R. Pesnell

From: [Billy Pesnell](#)
To: [Barbalich, Lauren](#)
Cc: [Murrill, Elizabeth](#)
Subject: RE: Pesnell v. Sessions 19-874
Date: Thursday, April 9, 2020 4:53:21 PM
Attachments: [Billy R. Pesnell.vcf](#)

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Dear Ms. Barbalich:

While we would normally sympathize with the request for an extension, we simply cannot agree to the extension on the grounds of COVID-19 litigation, as that issue will likely be recurring in nature given the extended shutdown.

Applicants need this matter to move forward. We understand that you will request the extension in any event. However, we are unable to agree to an extension at this time.

With kindest regards, I am



From: Barbalich, Lauren <BarbalichL@ag.louisiana.gov>
Sent: Thursday, April 9, 2020 12:20 PM
To: Billy Pesnell <Bill@pesnelllawfirm.com>
Cc: Murrill, Elizabeth <MurrillE@ag.louisiana.gov>
Subject: RE: Pesnell v. Sessions 19-874

Good afternoon,

Just checking back in on this request to see if you had any objection to us filing a second extension?

Thank you,
Lauren Barbalich

From: Barbalich, Lauren
Sent: Wednesday, April 8, 2020 11:33 AM
To: 'bill@pesnelllawfirm.com'
Cc: Murrill, Elizabeth
Subject: Pesnell v. Sessions 19-874

Mr. Pesnell,

We are planning to request a second extension to file our response in the above referenced matter, due to the large amount of COVID-19 related litigation our office is now handling. Do you have any objection to this extension?

Sincerely,
Lauren Barbalich
Paralegal to Liz Murrill

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