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March 22, 2024

**By Electronic & U.S. Mail**

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

RE: *Walen v. Burgum*, No. 23-969

Dear Mr. Harris:

I represent Defendant-Appellees Doug Burgum, in his official capacity as Governor of North Dakota, and Michael Howe, in his official capacity as North Dakota Secretary of State. Pursuant to Rule 30.4, I write to request a 31-day extension, to May 6, 2024, of the time to respond to Plaintiff-Appellants' jurisdictional statement in the above-captioned matter.

Defendant-Intervenor-Appellees The Mandan, Hidatsa, and Arikara Nation, Lisa DeVille, and Cesar Alvarez, Jr. join in this request and ask for the same 31-day extension to respond to Plaintiff-Appellants' jurisdictional statement. Plaintiff-Appellants Charles Walen and Paul Henderson do not oppose this request.

There is good cause for the extension in light of multiple upcoming commitments that the attorneys representing Defendant-Appellees have in other matters. Counsel for Defendant-Appellees have multiple briefing deadlines in several matters in the coming weeks, including *Alpine v. FINRA*, No. 23-5129 (D.C. Cir.) (briefs due on both March 22 and March 29), *Fort v. Grisham*, No. 23-2167 (10th Cir.) (brief due on March 26), *Turtle Mountain Band of Chippewa Indians et al. v. Howe*, No. 23-3655 (8th Cir.) (brief due April 8), and *Nw. Landowners Ass'n v. North Dakota*, No. 05-2023-cv-00065 (N.D., Bottineau Cnty.) (brief due April 12). Counsel for Defendant-Appellees are also heavily engaged in discovery in *AmBase Corp. v. 111 West 57th Sponsor LLC*, No. 652301/2016 (N.Y. Sup. Ct. N.Y. Cnty.) and *111 West 57th Investment LLC v. 111W57 Mezz Investor LLC*, No. 655031/2017 (N.Y. Sup. Ct. N.Y. Cnty.), as well as pretrial preparations in *NAACP v. NC State Board of Elections*, No. 1:18-cv-1034 (M.D.N.C.), for a trial set to commence in early May.

This case also raises complex and important questions of constitutional and statutory law. The requested extension will enable Counsel for Defendant-Appellees to prepare a response adequately addressing those questions.

For these reasons, Defendant-Appellees and Defendant-Intervenor-Appellees respectfully request an extension of time to respond to the jurisdictional statement in this matter until May 6, 2024.

Dated: March 22, 2024

Respectfully submitted,

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