

IN THE SUPREME COURT OF THE UNITED STATES

JOSEPHAT MUA AND
FRANCOISE VANDENPLAS,

Petitioner-Applicants

v.

CALIFORNIA CASUALTY INDEMNITY EXCHNAGE; MARSDEN &
SELEDEE LLC, THE O'NEAL LAW FIRM, LLP; THATCHER LAW FIRM;
MITCHELL BATT; BRYAN CHAPMAN; RAOUF MUHAMMAD
ABDULLAH; ROBERT E. CAPPELL; BRADFORD ASSOCIATES;
MARYLAND STATE EDUCATION ASSOCIATION; ASSOCIATION OF
SUPERVISORY & ADMINISTRATIVE SCHOOL; MARYLAND STATE
DEPARTMENT OF EDUCATION; CHARLENE SUKARI HARDNETT.

and

PESSIN KATZ LAW, P.A.;

Respondents

**APPLICATION FOR AN EXTENSION OF TIME
WITHIN WHICH TO FILE A PETITION FOR WRIT OF CERTIORARI**

To the Honorable John G. Roberts, Jr., as the Chief Justice and the Circuit Justice
for the United States Court of Appeals for the District of Maryland circuit:

Petitioners Josephat Mua and Francoise Vandenplas respectfully request an
extension of time to file their Petition for Writ of Certiorari in this matter be
extended for sixty (60) days. The Petitioners have been diligently litigating this
case. Despite this diligence, a substantial need for an extension exists and has
become necessary. The United States Court of Appeals for Fourth Circuit issued its

opinion and order on November 8th, 2017 (See App. A) and notice of Judgement (See App. B, *infra*) and on November 20, 2017, the court denied Motion for leave to file a reply to responses or schedule a hearing in the alternative (App. C, *infra*). On November 22, 2017, the court issued stay of Mandate under FED. R. APP. P.41 (d) (1) (App. D, *infra*). On December 19th, 2017, the United States Court of Appeals for Fourth Circuit issued an order and denied the motion for reconsideration (See App. E, *infra*) in which it denied a petition for rehearing *en banc*. The mandate in the U.S Court of Appeals for Fourth Circuit was entered the record on December 27th, 2017. (See App. F, *infra*). On January 2, 2018, the United States Court of Appeals for Fourth Circuit denied the Motion to stay mandate (See App. G, *infra*). Absent an extension of time, the Petition would therefore be due on March 19th, 2018. Petitioners are filing this Application at least ten (10) days before that date. See S.Ct. R. 13.5. This Court would have jurisdiction over the judgment under 28 U.S.C § 1254 (1).

Petitioners Mr. Mua and Mrs. Francoise Vandenplas have determined that this is a case important enough, both personally and professionally, that it warrants a petition for certiorari. Indeed, there are important questions which were determined adversely by the courts below. The case presents important issues regarding the parameters of the absolute immunity defense for public officials, Law firms, labor unions, insurance company and elected officials in Prince George's County, Maryland involved in public corruption. Additional time is needed because the undersigned has been sick requires sufficient time to prepare and organize the

record and familiarize himself with the case law in this area and to draft, file, and have printed a petition for certiorari.

REASONS FOR GRANTING AN EXTENSION OF TIME

The time to file a Petition for a Writ of Certiorari should be extended for sixty (60) days for these reasons:

- 1.) Petitioners Mr. Mua and Mrs. Vandenplas have several conflicts with deadlines with cases currently pending on appeal in the lower courts as shown by the following cases. Appellant Mr. Mua has 4 (Four) cases currently pending in the U.S Court of Appeals for Fourth Circuit. (See Appeal No. 17-2031 *Josephat Mua v. The Attorney General, Maryland*; Appeal No. 17-2029 *Josephat Mua v. Board of Education of PG Co*, Appeal No. 17-2027 *Josephat Mua v. Board of Education of PG Co.*, Appeal No. 17-2025 *Josephat Mua v. The O'Neal Law Firm, LLP*),). The current schedule therefore causes a major scheduling conflicts with the dateline given by this honorable court as Petitioners will not have enough time to assemble their brief in this case due to time management issues.
- 2.) Petitioners Mr. Mua and Mrs. Vandenplas have other conflicts with deadlines with cases currently pending on appeal in the Maryland court of Appeals.
- 3.) Petitioner Mr. Mua has another filings due in the Washington DC Superior Court Case No. 2013-SC3-004261 which pending on Appeal in the Superior Court. These events conflicts with issues currently going on in this court.

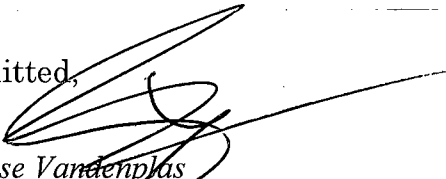
- 4.) This case presents extraordinarily important issues warranting a carefully prepared Petition. The decision marks the first time in the Nation's history that any appellate court has ignored major violations of Title VII interconnected with other major violations connected with the Union lack of fair representation *inter alia*. The issues involve fundamental questions of how the Title VII should be interpreted and applied to the Maryland District's longstanding legislative judgment on how best to protect Maryland citizens from title VII violations.
- 5.) There is at minimum a substantial prospect that this Court will grant certiorari and, indeed, a substantial prospect of reversal. In addition to involving extraordinarily important issues, the decision of the Court of Appeals is in admitted conflict with the majority of other federal Courts of Appeals and with many State courts of last resort.
- 6.) Petitioners have recently retained a pro bono outside counsel with Supreme Court expertise to assist in this case who will assist to prepare the briefs. Additional time is necessary and warranted for that counsel, *inter alia*, to become familiar with the record below, relevant legal precedents and historical materials, and the issues involved in this matter. Due to financial constrained, Appellants are currently fundraising from supporters in order to defray the cost of the briefs and assistance of counsel.

- 7.) No meaningful prejudice would arise from the extension, as this Court would have a chance to review the decision of the courts below which are currently pending in the Courts below regardless of whether an extension is granted.
- 8.) Additionally, Petitioner Mr. Mua met with the Maryland Attorney General for Maryland, U.S Senator for Maryland Chris Van Allen and President of National Endowment for Democracy and is currently in settlement discussion and working with the Government agency involved in this case to settle the grievances which are serious in nature. The court should give an extended time for these discussions to occur. This way, if the cases are settled, there will be no need for appeals and the need to file the Petitions for certiorari in this court.

Finally, it would be extremely difficult for the undersigned to accomplish that task within the next several days and file a petition given the many issues currently in progress at the same time coupled with other professional obligations. The undersigned has sent an email to the Respondent counsels in the past, requesting them to consent to the request for an extension of time within which to file a petition for certiorari and other matters in the other courts. They have opposed everything in many aspects every time.

WHEREFORE, Petitioners ask the court to grant Petitioner Josephat Mua and Francoise Vandenplas an additional 60 days, to and including May 17th, 2018, within which to file a petition for certiorari.

Respectfully submitted,


/S/ Josephat Mua and Francoise Vandenplas

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Friday, March 9th, 2018

Refer to Supreme Court Rules 13.5 and Rule 30.