

No. _____

**In The
Supreme Court of the United States**

MOVING OXNARD FORWARD, INC.,
Applicant,
v.
LOURDES LOPEZ, in her official capacity as
City Clerk for the City of Oxnard,
Respondent.

**Application for an Extension of Time to File Petition for a Writ of
Certiorari to the United States Court of Appeals for the Ninth Circuit**

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To the Honorable Elena Kagan, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Ninth Circuit:

Pursuant to Rules 13.5, 22, 30.2, and 30.3 of the Rules of this Court, Applicant Moving Oxnard Forward, Inc. respectfully requests a 60-day extension of time, to and including **September 21, 2026**, within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Ninth Circuit in this case. Unless extended, the time within which to file the petition will expire on **July 21, 2026**. This application is being filed at least 10 days before that date. See Sup. Ct. R. 13.5. The 60th day following the current deadline, September 19, 2026, falls on a Saturday; accordingly, Applicant requests an extension to and including the following Monday, September 21, 2026. See Sup. Ct. R. 30.1. In support of this application, applicant states as follows:

1. *Opinions Below.* This case arises from the judgment of the en banc United States Court of Appeals for the Ninth Circuit in *Moving Oxnard Forward, Inc. v. Lopez*, No. 21-56295. The en banc opinion of the court of appeals was filed on April 22, 2026, and is reproduced as Appendix A to this application. The December 20, 2024 opinion of the three-judge panel and the order of the United States District Court for the Central District of California granting summary judgment (No. 2:20-cv-04122-CBM-AFM) are reproduced as Appendices B and C.

2. *Jurisdiction.* The judgment of the court of appeals was entered on April 22, 2026. No petition for rehearing of the en banc decision was filed, and the 90-day period within which to seek a writ of certiorari therefore runs from that date. See

Sup. Ct. R. 13.1, 13.3. Absent an extension, a petition would be due on July 21, 2026. This Court’s jurisdiction would be invoked under 28 U.S.C. § 1254(1).

3. *Background.* Applicant Moving Oxnard Forward, Inc., a nonprofit mutual benefit corporation (organized in California), challenged the constitutionality of the campaign contribution limitations imposed in the City of Oxnard, California, by the Oxnard Government Accountability and Ethics Act, which Oxnard voters approved on March 3, 2020 (“Measure B”). Moving Oxnard Forward contends that Measure B’s per-candidate contribution limits violate the First Amendment and that its aggregate contribution limits violate the First and Fourteenth Amendments. The district court granted summary judgment to the City. Sitting en banc, the court of appeals affirmed in an opinion by Judge Koh, over a dissent by Judge Collins.

In the Ninth Circuit, Applicant sought review of the district court’s judgment under *Randall v. Sorrell*, 548 U.S. 230, 248 (2006). Applicant argued that the limits imposed by Oxnard’s Measure B were not supported by a sufficient governmental interest and that they were not otherwise “closely drawn” to an interest in preventing quid pro quo corruption or its appearance. A Ninth Circuit panel reversed. The en banc court subsequently changed course and affirmed the judgment below. Potential issues for review include (A) whether the Ninth Circuit’s Eddleman-Lair standard survives subsequent precedent from this Court (see *Montana Right to Life Ass’n v. Eddleman*, 343 F.3d 1085 (9th Cir. 2003); *Lair v. Motl*, 873 F.3d 1170 (9th Cir. 2017); see also *Thompson v. Hebdon*, 589 U.S. 1 (2019)), and (B) the potential circuit split between the ninth and first circuits and the several other circuits that apply a more

stringent standard. See *Daggett v. Comm’n on Governmental Ethics & Election Practices*, 205 F.3d 445, 450 (1st Cir. 2000); see also *Ognibene v. Parkes*, 671 F.3d 174, 183 (2d Cir. 2011); *Upstate Jobs Party v. Kosinski*, 106 F.4th 232, 251 (2d Cir. 2024); *Deon v. Barasch*, 960 F.3d 152, 160 (3d Cir. 2020); *Catholic Leadership Coalition of Tex. v. Reisman*, 764 F.3d 409, 425 (5th Cir. 2014); *Zimmerman v. City of Austin*, 881 F.3d 378 (5th Cir. 2018); *Jones v. Jegley*, 947 F.3d 1100, 1105 (8th Cir. 2020).

4. *Reasons for Granting the Extension.* Good cause exists to grant the requested extension.

(a) The petition is expected to present substantial questions concerning the constitutionality of municipal campaign contribution limits under the First and Fourteenth Amendments. Among other issues, the petition is expected to address whether the Ninth Circuit’s *Eddleman-Lair* framework remains consistent with this Court’s subsequent campaign-finance decisions and whether the courts of appeals have adopted differing standards for evaluating contribution limits. The en banc court issued divided opinions spanning approximately eighty pages. Additional time is necessary to carefully evaluate those opinions, the underlying record, and the relevant authorities in order to prepare a petition that fairly and accurately presents the questions warranting this Court’s review.

(b) Counsel of record has substantial pre-existing professional commitments during the period in which the petition otherwise would be due. These include appellate briefing deadlines in the California Court of Appeal; election-related

litigation and counseling arising from California's June 2, 2026 primary election, including five lawsuits in four counties concerning ballot access and ballot language; an election contest scheduled for trial on August 21, 2026; multiple First Amendment and public-law matters now pending and being prepared for filing in state and federal court; and other discovery and pretrial obligations. These matters have materially limited the time available to prepare a petition presenting the important constitutional questions raised by this case.

(c) Applicant has also been consulting with counsel experienced in the practice of this Court to assist in finalizing the petition. Additional time is needed to permit such counsel to review the record, the en banc opinion, and trial counsel's early drafts of the petition to this Court in order to meaningfully participate in the final review and editing of the petition that is being prepared.

(d) Counsel also has pre-planned family vacation from July 11, 2026 to July 24, 2026 that further compress the available time.

(e) The requested extension is sought in good faith and not for purposes of delay, and no party will be prejudiced by the extension. Indeed, the contribution limits at issue remain in place and continue to have their full effect. If any party continues to be prejudiced, it would be the Applicant who continues to be subject to the contribution limits that are challenged in this action. Applicant has not previously sought an extension of time from this Court.

5. Conclusion. For the foregoing reasons, Applicant respectfully requests that the time within which to file a petition for a writ of certiorari be extended by 60 days, to and including September 21, 2026.

Respectfully Submitted,



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