

No. 15-3738

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

KEVIN CULP, <i>et al.</i> ,)	Appeal from the United States
)	District Court for the Central
Plaintiffs-Appellants,)	District of Illinois.
)	
v.)	No. 3:14-CV-3320
)	
LISA MADIGAN, <i>et al.</i> ,)	The Honorable
)	SUE E. MYERSCOUGH,
Defendants-Appellees.)	Judge Presiding.

**DEFENDANTS-APPELLEES' MOTION FOR
EXTENSION OF TIME TO FILE BRIEF**

Defendants-Appellees, by their attorney, Illinois Attorney General Lisa Madigan, move this Court to extend the briefing schedule 28 days. The declaration of Deputy Solicitor General Brett E. Legner, made in support of this motion and asking that the appellees' brief be set as due on May 27, 2016, is attached.

LISA MADIGAN

Attorney General
State of Illinois

By: s/ Brett E. Legner
Brett E. Legner
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**DECLARATION OF BRETT E. LEGNER
PURSUANT TO 28 U.S.C. § 1746**

Brett E. Legner, pursuant to 28 U.S.C. § 1746, hereby states as follows:

1. I am the Deputy Solicitor General of the Illinois Attorney General's Office.

I am responsible for representing Defendants-Appellees in this appeal.

2. Defendants-Appellees' brief is currently due on April 29, 2016, on two prior extensions of time. Defendants-Appellees moved for a 30-day extension of time on February 29, 2016, which this Court granted on March 2, 2016. Defendants-Appellees also moved for a 30-day extension of time on March 30, 2016, which this Court granted on March 31, 2016.

3. I ask for a 28-day extension of time from the current due date to May 27, 2016, pursuant to Circuit Rule 26, for the following reasons:

- a. On March 18, 2016, I presented oral argument to the Circuit Court of Adams County, Illinois, on the motion to vacate an injunction that was entered the day before in People v. Venvertloh, No. 16 CH 24. Also that day I filed an emergency motion for stay pending appeal in that matter in the Appellate Court of Illinois, Fourth Judicial District. This case involved a court order requiring extended Illinois primary voting to take place over days, from March 21-25, 2016, and it was necessary that I devote immediate attention to this matter;
- b. It has also been necessary for me to devote immediate attention to Kakos v. Bauer, Illinois Supreme Court, No. 120377, which is an expedited appeal involving the constitutionality of 735 ILCS 5/2-1105(b), which limits the size of civil juries in Illinois to 6 people;
- c. I have been required to devote ongoing attention to time sensitive matters arising out of the State's current budget impasse, including among other things, matters concerning budget-related litigation pending in the Circuit Court of Cook County, Illinois in People v. Munger, No. 15 CH 10243, and in the Circuit Court of St. Clair County, Illinois, in AFSCME v. Rauner, No. 15 CH 275. I presented oral argument on a motion to dismiss in the Munger matter on April 21,

2016;

- d. I have due on May 3, 2016, the appellee's brief in Sherlock v. Illinois State Bd. of Elections, Appellate Court of Illinois, First Judicial District, No. 1-2336, on a final extension of time. Because this brief is on a final extension of time, it has been necessary for me to devote immediate attention to it;
- e. I have due on May 23, 2016, the appellants' brief in Stroman Realty v. Seasock, Appellate Court of Illinois, Fourth Judicial District, No. 4-15-0501, on a seventh extension of time. Due to the large number of extensions on this brief, it is necessary that I devote attention to this appeal; and
- f. I have supervisory duties requiring that I review appellate briefs filed by my Office before they are filed and that I help prepare attorneys for appellate oral arguments, and these duties have also required my immediate attention.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on April 29, 2016

s/ Brett E. Legner

Brett E. Legner

Deputy Solicitor General

Office of the Illinois Attorney General

100 West Randolph Street, 12th Floor

Chicago, Illinois 60601

(312) 814-2146

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

CERTIFICATE OF FILING AND SERVICE

I certify that on April 29, 2016, I electronically filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the Seventh Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Brett E. Legner
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