

Nos. 18-4150 and 18-4119

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

RAPOWER-3, LLC, ET AL

Defendants-Appellants

On Appeal from the United States District Court for the District of Utah
No. 2:15-cv-00828-DN
The Honorable David Nuffer

**APPELLANTS' MOTION FOR AN EXTENSION OF TIME TO FILE
APPELLANTS' REPLY BRIEF**

Appellants RaPower-3, LLC, International Automated Systems, Inc., LTB1, LLC, R. Gregory Shepard, and Neldon Johnson (collectively "Appellants") request a 30-day extension – from April 17, 2019 to May 17, 2019 – of the time for filing and serving appellants' reply brief. In support of this motion, undersigned counsel state as follows:

1. Appellants' reply brief is currently due on April 17, 2019.
2. Appellee, through its counsel, has advised that they do not oppose the 30-day extension requested herein.

3. This is appellants' first request for any extensions in this appeal.

4. I, Denver Snuffer, Jr., have primary responsibility for preparing the reply brief.

5. Having reviewed appellee's brief, I have determined that twenty-one days is inadequate time for appellants to respond to the matters raised appellee's brief. The brief is 80 pages, and nearly at the permitted word limit under Fed. R. App. P. 32(a)(7)(B).

6. They have added 275 pages of additional Appendix materials, which may require additional supplementation by us.

7. Given the volume of material we must review and research in order to respond to the appellee's submission, we are unable to complete the required work in the next three weeks.

8. We cannot adequately address the myriad of facts and legal issues raised in the appellee's brief without a 30 day extension.

Respectfully submitted this 1st day of April, 2019.

NELSON SNUFFER DAHLE & POULSEN

/s/ Denver C. Snuffer, Jr.,
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CERTIFICATE OF SERVICE

I, Denver C. Snuffer, Jr., hereby certify that on the 1st day of April, 2019, I served a copy of the foregoing Appellant’s Motion for Extension of Time to File and Serve Appellant’s Reply Brief to the following in manner indicated:

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