

No. 13-23-00272-CV

IN THE COURT OF APPEALS
FOR THE THIRTEENTH DISTRICT OF TEXAS
AT CORPUS CHRISTI

FILED IN
13th COURT OF APPEALS
CORPUS CHRISTI/EDINBURG, TEXAS
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KATHY S. MILLS
Clerk

NOVUS PRIME PROPERTIES, LLC,

Appellant,

v.

SPACE EXPLORATION TECHNOLOGIES CORP.,

Appellee.

On Appeal from the 107th District Court, Cameron County, Texas
Trial Court Cause No. 2021-DCL-03184

APPELLEE'S UNOPPOSED MOTION FOR EXTENSION

Pursuant to Texas Rules of Appellate Procedure 10.5(b) and 38.6(d), Appellee Space Exploration Technologies Corp. ("SpaceX"), respectfully files this Unopposed Motion for Extension of time to file its opening brief. SpaceX requests a 30-day extension to October 11, 2023.

1. The present deadline for the SpaceX's response brief is September 11, 2023.
2. SpaceX requests a 30-day extension to Wednesday, October 11, 2023.
3. This is SpaceX's first request to extend the deadline for the response brief.

4. Counsel for Appellant Novus Prime Properties, LLC has advised that Appellant does not oppose the requested extension.

5. Appellant filed its opening brief on August 21, 2023.

6. The following grounds provide good cause for the requested 30-day extension. SpaceX has recently retained additional counsel from Morgan Lewis & Bockius LLP to assist with the appeal, and new counsel will need adequate time to familiarize themselves with the case and the record. Lead counsel on appeal for SpaceX, William R. Peterson, has principal responsibility for preparation of the opening brief.

7. In light of the above, the extension of time that SpaceX requests is necessary to prepare the Appellee's brief and to fully present this matter to the Court.

CONCLUSION & PRAYER FOR RELIEF

For these reasons, SpaceX respectfully requests a 30-day extension to October 11, 2023, to file its response brief.

Dated: September 1, 2023

Respectfully submitted,

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CERTIFICATE OF CONFERENCE

As required by Texas Rule of Appellate Procedure 10.1(a)(5), I hereby certify that on August 31, 2023, my co-counsel conferred with counsel for Appellant, who stated that Appellant is unopposed to this motion.

/s/ William R. Peterson

William R. Peterson

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2023 a true and correct copy of the foregoing document was served on all counsel of record in accordance with the Texas Rules of Civil Procedure by the electronic filing service provider as follows:

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