



extending the Government's time to file its brief by 50-days, that is, until November 20, 2015. As a result of the Government's extensions, Mr. Pizel's current 14-day deadline for his reply straddles the Thanksgiving holiday.

Mr. Pizel's undersigned counsel is currently involved in active discovery issues and disputes in two pending cases. *See FT Travel New York, LLC v. Your Travel Center, Inc.*, No. 2:15-cv-1065 (C.D. Cal.); *Neogenix Oncology, Inc. v. Gordon*, 2:14-cv-4427 (E.D.N.Y.). These cases will affect counsel's ability to dedicate time to this appeal. Moreover, counsel needs time to analyze and respond to arguments in the Government's response brief that were not addressed in Mr. Pizel's opening brief because they were not the basis of the lower court's decision. (*See, e.g.*, Dkt 33 at 28-32 (arguing that the Government's conduct merely frustrated Mr. Pizel's employment agreement)).

In short, Mr. Pizel respectfully requests the 16-day extension to allow counsel to respond to the Government's arguments that were not raised below, review relevant materials, and draft Mr. Pizel's reply brief, while complying with continuing responsibilities in other cases during a period that includes the Thanksgiving holiday. The requested extension is therefore reasonable under the circumstances.

Accordingly, Mr. Pizel requests that this unopposed motion for extension be granted, and that the Court permit Mr. Pizel to file his reply brief on

or before December 23, 2015.

Dated: November 24, 2015

Respectfully Submitted,

MURPHY & MCGONIGLE, P.C.

By: /s/ Michael V. Rella

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**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on November 24, 2015, a copy of the foregoing Plaintiff-Appellant's Unopposed Motion For An Extension of Time, the Declaration of Michael V. Rella, and a Proposed Order was filed electronically.

The filing was served electronically to all parties by operation of the Court's electronic filing system.

By: /s/ Michael V. Rella



November 20, 2015. As a result of the Government's extensions, Mr. Pizel's current 14-day deadline for his reply straddles the Thanksgiving holiday.

4. Mr. Pizel's undersigned counsel is currently involved in active discovery issues and disputes in two pending cases. *See FT Travel New York, LLC v. Your Travel Center, Inc.*, No. 2:15-cv-1065 (C.D. Cal.); *Neogenix Oncology, Inc. v. Gordon*, 2:14-cv-4427 (E.D.N.Y.). These cases will affect counsel's ability to dedicate time to this appeal. Moreover, counsel needs time to analyze and respond to arguments in the Government's response brief that were not addressed in Mr. Pizel's opening brief because they were not the basis of the lower court's decision. (*See, e.g.*, Dkt 33 at 28-32 (arguing that the Government's conduct merely frustrated Mr. Pizel's employment agreement)).

5. The requested extension is sought to allow counsel to respond to the Government's arguments that were not raised below, review relevant materials, and draft Mr. Pizel's reply brief, while complying with continuing responsibilities in other cases during a period that includes the Thanksgiving holiday. The requested extension is therefore reasonable under the circumstances.

Executed: November 24, 2015

/s/ Michael V. Rella

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