

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

ABU-ALI ABDUR'RAHMAN,)
ET AL.,)
)
v.) No. M2018-01385-SC-RDO-CV
)
TONY PARKER, ET AL.)

**UNOPPOSED MOTION TO EXTEND THE LENGTH OF ORAL
ARGUMENT**

Lead appellants, by counsel, ask this Honorable Court to extend the length of time allotted for oral argument to 40 minutes per side. In support of their request, lead appellants state as follows:

1. This case is currently on the Court's docket for oral argument starting at 2:00 p.m. on October 3, 2018. Each side is allotted 30 minutes to argue.
2. Given the voluminous record and the number of issues raised by the briefs, counsel believe that 30 minutes time is insufficient.
3. Further, the Miller appellants have filed a separate brief in this matter and of course have a right to be heard. It is undersigned counsels' understanding that counsel for the Miller appellants' will

request 8-10 minutes to argue the two unique issues raised in their brief.¹

4. While, counsel for lead appellants fear that 30 minutes will not provide adequate time to fully address all questions and concerns that this Honorable Court may have, a reduction of that period to 20 minutes will guarantee that the Court will be denied the benefit of challenging discussion with counsel for the lead plaintiffs. Such an abbreviated argument will disadvantage this Honorable Court, and prevent all Justices from having a reasonable opportunity to engage with counsel. This will work to the prejudice of appellants.

5. Additional time is particularly necessary in this case where the appeal has been radically expedited. The scientific proof in the record is complex and the legal arguments are nuanced. It is important that Lead Appellants' counsel have sufficient time to answer any questions the Court may have and to clear up any confusion that may exist.

6. Counsel for appellees, Jennifer Smith, states that appellees do not oppose this motion.

WHEREFORE, lead appellants respectfully request that this Court extend the length of oral arguments to at least 40 minutes per side.

¹ The Miller appellants otherwise moved to incorporate the arguments made by lead appellants' opening brief.

Respectfully Submitted,

FEDERAL PUBLIC DEFENDER FOR
THE MIDDLE DISTRICT OF
TENNESSEE

KELLEY J. HENRY, BPR#21113
Supervisory Asst. Federal Public
Defender
810 Broadway, Suite 200
Nashville, TN 37203
Phone: (615) 736-5047
Fax: (615) 736-5265

BY: /s/ Kelley J. Henry
Counsel for Abdur'Rahman, Bane,
Black, Bland, Burns, Carruthers,
Chalmers, Dellinger, Duncan,
Henderson, Hines, Hodges, Hugueley,
Jahi, Ivy, Johnson, Jordan, Keen,
Middlebrooks, Morris, Payne,
Powers, Rogers, Sample, Smith,
Wright, Zagorski

BRADLEY MACLEAN
ATTORNEY AT LAW
1702 Villa Place
Nashville, TN 37212
Phone: (615) 943-8716
Email: brad.maclean9@gmail.com

BY: /s/ Bradley Maclean
Counsel for Abdur'Rahman

KATHLEEN MORRIS
42 Rutledge Street
Nashville, TN 37210
Phone: (615) 242-3200
Fax: (615) 777-3206

BY: /s/ Kathleen Morris
Counsel for Hall

CERTIFICATE OF SERVICE

I, Kelley J. Henry, hereby certify that a true and correct copy of the foregoing document was electronically filed and sent to the following via email on this the 18th day of September, 2018, to:

Andree Blumstein
Solicitor General

Jennifer Smith
Asst. Solicitor General
P.O. Box 20207
Nashville, TN 37202-0207
Counsel for Defendants

Dana C. Hansen Chavis
Stephen Kissinger
Asst. Federal Community Defenders
800 South Gay Street Suite 2400
Knoxville, TN 37929

Counsel for Plaintiffs McKay, Miller, Sutton, and West

/s/ Kelley J. Henry
Kelley J. Henry
Supervisory Asst. Federal Public Defender