

**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

**IN RE: COVID-19 BUSINESS)
INTERRUPTION PROTECTION)
INSURANCE LITIGATION)
_____)**

MDL No. 2942

MOTION FOR EXTENSION OF TIME

Pursuant to Rule 6.3 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (the "Panel"), the undersigned Defendants respectfully submit this Application for a three (3) week Extension of Time to file Notices of Appearance, Corporate Disclosure Statements and to oppose Plaintiff's Initial Motion to Transfer (Dkt.1) and Second Motion to Transfer (Dkt. 4) (collectively, the "Motion").

The bases for the request are as follows:

1. On April 21, 2020, the Panel set the following briefing schedule: Notices of Appearance due on or before May 5, 2020; Corporate Disclosure Statements due on or before May 5, 2020; Consolidated Responses due on or before May 12, 2020; and Reply, if any, due on or before May 19, 2020.
2. On May 1, 2020, certain Plaintiffs made a request for expedited consideration of the Motion by asking that the Panel hear the Motion at a hearing scheduled for May 28, 2020.
3. On May 4, 2020, the Panel denied that request for expedited consideration, stating that "[t]he Panel considers all motions in due course and is not persuaded to depart from its long-standing practice."
4. The next hearing before the Panel is July 30, 2020, at which time the Motion will be heard.

5. Under the circumstances, the undersigned Defendants ask for the following Extensions of Time: Notices of Appearance - no later than May 26; Corporate Disclosure Statements - no later than May 26; all Responses - no later than June 5, 2020, and Reply, if any, on or before June 15. All briefing on the Motion will have been completed six weeks before the July 30, 2020 hearing.

6. The basis for the instant motion for an extension of time is set forth immediately below.

7. Many of the Defendants in the actions for which consolidation is requested did not receive notice of the Motion until just recently. They need additional time to prepare their Notices of Appearance, Corporate Disclosure Statements and Consolidated Responses in opposition to the Motion.

8. Over the last few days, additional underlying coverage actions with new and different Defendants have been referred to the Panel for proposed consolidation. As a consequence, these additional Defendants are impacted as new actions are referred to the Panel.

9. Various Defendants have not been served in various actions for which MDL consolidation is sought.

10. Under these circumstances, Defendants and impacted parties need additional time to analyze and evaluate the Motion.

11. This three (3) week extension of dates will not result in any prejudice:

- a. The Motion is to be heard by the Panel at the July 30, 2020 hearing.
- b. The time for any Reply has been extended.
- c. All briefing will have been completed more than six weeks before the July 30, 2020 hearing.

WHEREFORE, the undersigned Defendants respectfully request that the Judicial Panel on Multidistrict Litigation grant the requested extensions of time to file their Notices of Appearance, Corporate Disclosure Statements and Responses and the Reply to the Motion.

DATED: May 5, 2020

Respectfully submitted,

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