

No. 21-15313

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

CITY AND COUNTY OF HONOLULU,

Plaintiff-Appellee,

v.

SUNOCO LP, et al.,

Defendants-Appellants.

On Appeal From The United States District Court for the District of Hawaii,
No. 20-cv-00163 (The Honorable Derrick K. Watson)

**PLAINTIFF'S NON-OPPOSITION TO DEFENDANTS' MOTION TO
EXTEND TIME TO FILE OPENING BRIEF**

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Plaintiff-Appellee, the City and County of Honolulu, does not oppose Defendants-Appellants' Motion to Extend Time to File Opening Brief, filed on April 30, 2021 (Dkt. 33-1). That Motion requested that Defendants-Appellants' time to file their Opening Brief be extended to Monday, July 19, 2021, in light of *BP p.l.c. v. Mayor & City Council of Baltimore*, No. 19-1189 (U.S.), which is currently pending before the United States Supreme Court. Because a decision in that case will likely determine the scope of this Court's appellate jurisdiction in this appeal, and because any such decision will likely issue before the Supreme Court's October 2020 term ends on June 28, 2021, Plaintiff-Appellee does not oppose Defendants-Appellants' Motion.

Dated: May 10, 2021

Respectfully submitted,

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/s/ Victor M. Sher

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