

No. 21-15318

---

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

---

COUNTY OF MAUI,

*Plaintiff-Appellee,*

v.

CHEVRON USA INC., et al.,

*Defendants-Appellants.*

---

On Appeal From The United States District Court for the District of Hawaii,  
No. 20-cv-00470 (The Honorable Derrick K. Watson)

---

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

---

Moana M. Lutey  
Richelle M. Thomson  
Keola R. Whittaker  
DEPARTMENT OF THE  
CORPORATION COUNSEL  
200 South High Street, Third Floor  
Wailuku, Hawai'i 96793  
Telephone: (808) 270-7741

Victor M. Sher  
Matthew K. Edling  
SHER EDLING LLP  
100 Montgomery Street, Suite 1410  
San Francisco, CA 94104  
Telephone: (628) 231-2500

*Counsel for the County of Maui*

---

---

Plaintiff-Appellee, the County of Maui, 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,

SHER EDLING LLP

/s/ Victor M. Sher

Victor M. Sher

Matthew K. Edling

DEPARTMENT OF CORPORATION  
COUNSEL

Moana M. Lutey

Richelle M. Thomson

Keola R. Whittaker

*Attorneys for Plaintiff  
County of Maui*