

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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| <p>TIMOTHY KING, MARIAN ELLEN SHERIDAN, JOHN EARL HAGGARD, CHARLES JAMES RITCHARD, JAMES DAVID HOOPER and DAREN WADE RUBINGH,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>GRETCHEN WHITMER, in her official capacity as Governor of the State of Michigan, JOCELYN BENSON, in her official capacity as Michigan Secretary of State and the Michigan BOARD OF STATE CANVASSERS,</p> <p style="text-align: center;">Defendants</p> <p style="text-align: center;">and</p> <p>CITY OF DETROIT, DEMOCRATIC NATIONAL COMMITTEE and MICHIGAN DEMOCRATIC PARTY,</p> <p style="text-align: center;">Intervenor-Defendants.</p> | <p>No. 2:20-cv-13134</p> <p>Hon. Linda V. Parker</p> |
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**THE CITY OF DETROIT’S RESPONSE TO PLAINTIFFS’ MOTION FOR  
EXTENSION OF TIME TO RESPOND TO THE CITY OF DETROIT’S  
MOTION TO DISMISS AND FOR AN AWARD OF SANCTIONS**

Intervenor-Defendant the City of Detroit (the “City”), by and through counsel, respectfully requests that this Court deny Plaintiffs’ Motion for Extension of Time to Respond to the City of Detroit’s Motion to Dismiss and for an Award of Sanctions.

Under normal circumstances, undersigned counsel would agree to any extension requested by opposing counsel. These are not normal circumstances.

Our democracy is in jeopardy. On January 6, 2021, an angry mob of President Trump's supporters stormed the United States Capitol, interfering with the peaceful transition of power, while threatening to kidnap Speaker of the House Nancy Pelosi and to execute Vice President Mike Pence. At least five people lost their lives in that violent insurrection. That mob was riled up and motivated by the lies perpetrated in this lawsuit. These very lawyers incited the violence that has upended our nation.

There is no time for delay. The City of Detroit has been patient and has not asked this Court to expedite these proceedings, but this requested delay could further exacerbate an already dangerous situation. The seditious lies promoted by this lawsuit must be reviewed and rejected as soon as possible.

WHEREFORE, the City respectfully requests that this Court deny Plaintiffs' Motion for Extension of Time to Respond to the City's Motion to Dismiss and for an Award of Sanctions.

January 21, 2021

Respectfully submitted,

**FINK BRESSACK**

By: /s/ David H. Fink  
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**CITY OF DETROIT  
LAW DEPARTMENT**

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| <p>TIMOTHY KING, MARIAN ELLEN SHERIDAN, JOHN EARL HAGGARD, CHARLES JAMES RITCHARD, JAMES DAVID HOOPER and DAREN WADE RUBINGH,</p> <p>Plaintiffs,</p> <p>v.</p> <p>GRETCHEN WHITMER, in her official capacity as Governor of the State of Michigan, JOCELYN BENSON, in her official capacity as Michigan Secretary of State and the Michigan BOARD OF STATE CANVASSERS,</p> <p>Defendants</p> <p>and</p> <p>CITY OF DETROIT, DEMOCRATIC NATIONAL COMMITTEE and MICHIGAN DEMOCRATIC PARTY,</p> <p>Intervenor-Defendants.</p> | <p>No. 2:20-cv-13134</p> <p>Hon. Linda V. Parker</p> |
|--|--|

**BRIEF IN SUPPORT OF THE CITY OF DETROIT'S RESPONSE TO  
PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO RESPOND TO  
THE CITY OF DETROIT'S MOTION TO DISMISS AND FOR AN  
AWARD OF SANCTIONS**

**STATEMENT OF THE ISSUE PRESENTED**

Should the Court extend Plaintiffs' deadline for filing their response to the City of Detroit's Motion to Dismiss and for an Award of Sanctions where the seditious lies promoted by this lawsuit must be reviewed and rejected as soon as possible?

The City of Detroit's Answer: No.

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**CONTROLLING OR MOST APPROPRIATE AUTHORITIES**

E.D. Mich. LR 7.1(e)(1)(B)

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## ARGUMENT

Intervenor-Defendant the City of Detroit (the “City”) respectfully requests that this Court deny Plaintiffs’ Motion for Extension of Time to Respond to the City of Detroit’s Motion to Dismiss and for an Award of Sanctions (ECF No. 82). Under normal circumstances, undersigned counsel would agree to any extension requested by opposing counsel. These are not normal circumstances.

Our democracy is in jeopardy. On January 6, 2021, an angry mob of President Trump’s supporters stormed the United States Capitol, interfering with the peaceful transition of power, while threatening to kidnap Speaker of the House Nancy Pelosi and to execute Vice President Mike Pence. At least five people lost their lives in that violent insurrection. That mob was riled up and motivated by the lies perpetrated in this lawsuit. These very lawyers incited the violence that has upended our nation.

There is no time for delay. The City of Detroit has been patient and has not asked this Court to expedite these proceedings, but this requested delay could further exacerbate an already dangerous situation.

The seditious lies promoted by this lawsuit must be reviewed and rejected as soon as possible. Plaintiffs' Motion for Extension of Time to Respond to the City of Detroit's Motion to Dismiss and for an Award of Sanctions should be denied.

January 21, 2021

Respectfully submitted,

**FINK BRESSACK**

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## CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2021, I electronically filed the foregoing paper with the Clerk of the court using the electronic filing system, which sends notice to all counsel of record.

FINK BRESSACK

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