

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

KEVIN CLARKE, TREVOR  
BOECKMANN, HARRY CRANE, CORWIN  
SMIDT, PREDICT IT, INC., ARISTOTLE  
INTERNATIONAL, INC., MICHAEL  
BEELER, MARK BORGHI, RICHARD  
HANANIA, JAMES MILLER, JOSIAH  
NEELEY, GRANT SCHNEIDER, and WES  
SHEPHERD,

*Plaintiffs,*

v.

COMMODITY FUTURES TRADING  
COMMISSION,

*Defendant.*

Civil Docket No. 1:24-cv-00614-DAE

The Honorable David Alan Ezra

**CONSENT MOTION OF PLAINTIFFS FOR EXTENSION OF TIME TO FILE REPLY  
IN SUPPORT OF MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT**

Plaintiffs hereby move for a one-week extension of time to file a reply in support of their motion for leave to amend the Second Amended Complaint (Dkt. 117). The extended due date would be Tuesday, February 18, 2025. Counsel for Defendant Commodity Futures Trading Commission (“CFTC”) has advised counsel for Plaintiffs that it does not oppose this motion.

The CFTC filed its response brief on February 3, 2025 (Dkt. 122), after receiving a two-week extension of its deadline. Plaintiffs’ reply is currently due on February 10, 2025. A short extension of Plaintiffs’ reply deadline is necessary to allow counsel for the Plaintiffs to balance professional commitments at the law firm of Hunton Andrews Kurth LLP with the need to develop responses to the CFTC’s seventeen-page response brief. Plaintiffs therefore request that the Court extend their deadline for filing a reply in support of their motion for leave to amend the Second Amended Complaint until February 18, 2025.

Dated: February 7, 2025

Respectfully submitted,

/s/ Michael J. Edney

Michael J. Edney

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Michael Beeler, Mark Borghi, Richard Hanania,  
James D. Miller, Josiah Neeley, Grant Schneider,  
and Wes Shepherd and prospective Plaintiff  
The Washington Free Beacon*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 7, 2025, a copy of the foregoing was filed electronically and was served on counsel of record through the Court's electronic case filing/case management (ECF/CM) system.

/s/ Michael J. Edney  
Michael J. Edney