

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

RAYMOND WOOLLARD, *et al.*,

Plaintiffs-Appellees,

v.

Case No. 12-1437

DENIS GALLAGHER, *et al.*,

Defendants-Appellants.

CONSENT MOTION TO EXCEED PAGE LIMIT

COME NOW, the Plaintiffs-Appellees, with the consent of all parties, by and through undersigned counsel, and hereby move for an order permitting the Plaintiffs-Appellees to file a response motion to the Defendants-Appellants' motion for stay pending appeal that exceeds the page limit included in the Federal Rule of Appellate Procedure 27(d)(2) by fifteen pages, for the following reasons:

1. This case involves a question of first impression in this Circuit concerning the constitutionality of a specific requirement of Maryland's handgun wear-and-carry permit statute under the Second and Fourteenth Amendments to the United States Constitution.

2. In orders entered on March 5, 2012 and April 2, 2012, the district court found the permit requirement unconstitutional and awarded permanent injunctive relief prohibiting Defendants-Appellants, among others, from enforcing

the requirement. In response to a motion for stay pending appeal filed in the district court, that court's April 2, 2012 order also temporarily stayed enforcement of the orders.

3. In an order entered on July 24, 2012 (but dated July 23, 2012), the district court dissolved, effective August 7, 2012, the temporary stay and denied Defendants-Appellants' motion for a stay pending appeal.

4. On July 27, 2012, Defendants-Appellants filed, with consent of Plaintiffs-Appellees, a motion to exceed the page limit by ten pages. In an order entered on July 31, 2012, this Court granted the motion, allowing Defendants-Appellants' motion for stay pending appeal to exceed the page limit of Federal Rule of Appellate Procedure 27(d)(2).

5. Federal Rule of Appellate Procedure 27(d)(2) establishes a page limit of 20 pages for motions and responses to motions "unless the court permits or directs otherwise."

6. The Plaintiffs-Appellees have prepared a response motion to Defendants-Appellants' motion for stay pending appeal, pursuant to Federal Rule of Appellate Procedure 8(a)(2), that is to be filed today.

7. The response motion is currently 35 pages long.

8. Defendants-Appellants filed the motion for stay pending appeal on July 27, 2012. On the same day, Plaintiffs-Appellees were notified that the due

date for a response motion to the Defendants-Appellants motion for stay pending appeal was July 31, 2012.

9. In order to promptly respond to Defendants-Appellants' motion for stay pending appeal and in light of the important constitutional interests at stake, particularly the potential injuries to Plaintiffs-Appellees should the stay be granted, Plaintiffs-Appellees move for an order permitting them to file a response motion of up to 35 pages.

9. Pursuant to Local Rule 27(a), counsel for Plaintiffs-Appellees informed counsel for Defendants-Appellants of their intent to file this motion.

10. Defendants-Appellants consent to this motion.

11. No party will be prejudiced by the grant of the relief sought herein.

_____/s/_____
Cary Hansel
Joseph, Greenwald & Laake, P.A.
6404 Ivy Lane, Suite 400
Greenbelt, MD 20770
301.220.2200/301.220.1214

Alan Gura
Gura & Possessky, PLLC
101 N. Columbus St., Suite 405
Alexandria, VA 22314
703.835.9085/703.997.7665

July 31, 2012

Attorneys for the Plaintiffs-Appellees

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of July, 2012, I caused the forgoing to be electronically filed with the Clerk of the Court pursuant to the relevant rules.

_____/s/_____
Cary Hansel