

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

ISAAC HAYES ENTERPRISES, LLC,
THE ESTATE OF ISAAC HAYES,

Plaintiffs,

v.

DONALD JOHN TRUMP individually,
DONALD J. TRUMP FOR PRESIDENT,
2024, INC., REPUBLICAN NATIONAL
COMMITTEE, TURNING POINT USA,
INC., NATIONAL RIFLE
ASSOCIATION OF AMERICA,
AMERICAN CONSERVATIVE
UNION, BTC, INC.,

Defendants.

CASE NO: 1:24-cv-03639-TWT

Honorable Thomas W. Thrash, Jr.

**DEFENDANT REPUBLICAN NATIONAL COMMITTEE'S
EMERGENCY UNOPPOSED MOTION TO TOLL THE
DEADLINE FOR RESPONDING TO THE AMENDED COMPLAINT**

With the express agreement of Plaintiffs' counsel, Defendant Republican National Committee hereby moves for an order tolling the deadline for responding to Plaintiffs' Amended Complaint (Doc. 6) pending the Court's ruling on Plaintiffs' forthcoming motion to amend that Amended Complaint. As explained in the accompanying brief in support of this Motion attached as Exhibit A, it would serve little purpose to require the RNC to incur the expense of responding to a complaint for which Plaintiffs plan to seek leave to amend.

Under Local Rule 7.2(B), the RNC respectfully requests that the Court decide

this Motion on an expedited basis, in advance of September 13, the current deadline for responding to the Amended Complaint. This Motion will become moot when that deadline expires. And in the interim, counsel must prepare a response to the Amended Complaint in the absence of an order granting this Motion or otherwise postponing the September 13 deadline.

Date: September 6, 2024

Respectfully submitted,

/s/ Brian C. Lea

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National Committee*

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D), counsel hereby certifies that this document has been prepared using Times New Roman 14 point font, as approved by Local Rule 5.1(C).

/s/ Brian C. Lea _____
Brian C. Lea

*Attorney for Defendant Republican
National Committee*

CERTIFICATE OF SERVICE

I certify that on September 6, 2024, I electronically filed a true and correct copy of the foregoing with the Clerk of the Court via CM/ECF.

/s/ Brian C. Lea

Brian C. Lea

*Attorney for Defendant Republican
National Committee*

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Defendants.

CASE NO: 1:24-cv-03639-TWT

Honorable Thomas W. Thrash, Jr.

**DEFENDANT REPUBLICAN NATIONAL COMMITTEE'S BRIEF IN
SUPPORT OF EMERGENCY UNOPPOSED MOTION TO TOLL THE
DEADLINE FOR RESPONDING TO THE AMENDED COMPLAINT**

With the express agreement of Plaintiffs' counsel, Defendant Republican National Committee respectfully asks that this Court order that the deadline for responding to Plaintiffs' Amended Complaint (Doc. 6) be tolled pending the Court's ruling on Plaintiffs' forthcoming motion to amend the Amended Complaint. Under Local Rule 7.2(B), the RNC also respectfully requests that this Court decide this Motion on an expedited basis, in advance of the September 13 deadline for responding to the currently operative Amended Complaint. In further support of this

Motion, the RNC states as follows:

1. Plaintiffs filed their original Complaint on August 16. Doc. 1. Plaintiffs then filed the currently operative Amended Complaint on August 21. Doc. 6. Two days later, on August 23, Plaintiffs served the RNC with the Amended Complaint. Doc. 11. The deadline for responding to the Amended Complaint is therefore September 13. *See* Fed. R. Civ. P. 12(1)(A); Fed. R. Civ. P. 15(a)(3).

2. At the September 3 hearing on Plaintiffs' Emergency Motion for Preliminary Injunction, Plaintiffs represented that they would move for leave to file a new amended complaint. Doc. 52, page 32, lines 14-17. In a September 6 telephone call with undersigned counsel, Plaintiffs' counsel, James Walker, confirmed Plaintiffs' intent to file a motion for leave to amend the Amended Complaint.

3. The RNC should not be required to spend time and money responding to a complaint that Plaintiffs will seek to amend. If Plaintiffs' motion to amend is granted, the time and money spent responding to the Amended Complaint (as opposed to a second amended complaint) will have been wasted in whole or in part.¹

4. For these reasons, the Court should order that the deadline for responding to Plaintiffs' Amended Complaint (Doc. 6) be tolled pending the Court's

¹ Because the RNC does not yet know with certainty how Plaintiffs will seek to amend the Amended Complaint, the RNC at this time can neither consent to nor oppose Plaintiffs' forthcoming motion to amend.

ruling on Plaintiffs' forthcoming motion to amend the Amended Complaint.

5. During a September 6 telephone call with undersigned counsel, Plaintiffs' counsel (James Walker) agreed to the relief requested in this Motion.

6. The RNC respectfully requests that the Court decide this Motion on an expedited basis, in advance of the September 13 deadline for responding to the currently operative Amended Complaint. Unless and until this Court grants this Motion, the RNC will be compelled to spend time and resources preparing a response to the complaint that Plaintiffs intend to amend. And of course, when the September 13 deadline for responding to the Amended Complaint expires, this Motion will become moot.

CONCLUSION

For these reasons, the Court should dispose of this Motion on an expedited basis by ordering that the deadline for responding to Plaintiffs' Amended Complaint (Doc. 6) be tolled pending the Court's ruling on Plaintiffs' forthcoming motion to amend the Amended Complaint.

Date: September 6, 2024

Respectfully submitted,

/s/ Brian C. Lea

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/s/ Brian C. Lea _____
Brian C. Lea

*Attorney for Defendant Republican
National Committee*

CERTIFICATE OF SERVICE

I certify that on September 6, 2024, I electronically filed a true and correct copy of the foregoing with the Clerk of the Court via CM/ECF.

/s/ Brian C. Lea

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