

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

MOREHOUSE ENTERPRISES, LLC d/b/a BRIDGE CITY ORDNANCE; ELIEZER JIMENEZ; GUN OWNERS OF AMERICA, INC.; GUN OWNERS FOUNDATION; STATE OF ARIZONA; STATE OF WEST VIRGINIA; STATE OF ALASKA; STATE OF ARKANSAS; STATE OF IDAHO; STATE OF INDIANA; STATE OF KANSAS; COMMONWEALTH OF KENTUCKY; STATE OF LOUISIANA; STATE MISSOURI; STATE OF MONTANA; STATE OF NEBRASKA; STATE OF OKLAHOMA; STATE OF SOUTH CAROLINA; STATE OF TEXAS; STATE OF UTAH; and STATE OF WYOMING,

Plaintiffs-Appellants,

v.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES; UNITED STATES DEPARTMENT OF JUSTICE; and STEVEN M. DETTELBACH as the DIRECTOR OF ATF,

Defendants-Appellees.

On Appeal from the United States District Court
for the District of North Dakota
The Honorable District Court Judge Peter D. Welte
Case No. 3:22-cv-116

**PLAINTIFFS-APPELLANTS' MOTION TO EXCEED WORD
LIMITS**

Come now, Plaintiffs-Appellants, by and through counsel, pursuant to 8th Cir. R. 27(A)(a)(1), and for good cause, file this Motion to Exceed Word Limits for Plaintiffs-Appellants' Motion for Injunction Pending Appeal, and in support state as follows:

1. Due to the size and complexity of the Final Rule being challenged, the length of Defendants' Opposition in the district court below, the complex issues of federal law involved, the involvement of private parties along with seventeen sovereign states as Plaintiffs-Appellants—which in itself enhances judicial economy by bringing like claims together—and the necessity to provide the Court with the briefing required to address multiple issues of law, it is necessary to exceed the word limitations set by FRAP 27(d)(2).

2. Plaintiffs have made efforts to minimize the length of their brief by choosing to address a representative sample of the errors below justifying an injunction pending appeal, rather than address each point made in the district court's Opinion and Order.

3. As such, Plaintiffs seek an enlargement of the word limitation set forth by FRAP 27(d)(2) of 5,200 words to a total of 7,200 words for Plaintiffs-Appellants' Motion for Injunction Pending Appeal.

4. Plaintiffs respectfully submit they have established good cause, and request the Court allow them to exceed the word limitations by filing a Motion for Injunction Pending Appeal not to exceed 7200 words in length.

5. Plaintiffs' counsel conferred with counsel for Defendants who stated that they take no position on Plaintiffs-Appellants' motion to file a Motion for Injunction Pending Appeal not exceeding 7,200 words, but request a similar expansion of words for their response.

Respectfully Submitted,

Date: September 7, 2022

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* *Application for Admission Forthcoming*

CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limit of Fed. R. App. P. 27(d)(2)(A) because, excluding the parts exempted by Fed. R. App. P. 32(f), it contains 269 words as determined by the word-counting feature of Microsoft Word 365.

This motion also complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared using Microsoft Word 365 in 14-point proportionally spaced Century Schoolbook font.

And this motion complies with the electronic-filing requirements of Local Rule 28A(h)(2) because it was scanned for viruses using Kaspersky Internet Security and no virus was detected.

/s/ Stephen D. Stamboulieh
Stephen D. Stamboulieh

CERTIFICATE OF SERVICE

I certify that on September 7, 2022, I electronically filed the foregoing motion with the Clerk of the Court by using the CM/ECF system, and that the CM/ECF system will accomplish service on all parties represented by counsel who are registered CM/ECF users.

/s/ Stephen D. Stamboulieh
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