

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Khalid Ali,)	
)	
<i>Plaintiff,</i>)	
)	No. 19-cv-00022
<i>-vs-</i>)	
)	
City of Chicago, et al.,)	<i>(Judge Chang)</i>
)	
<i>Defendants.</i>)	
)	
Glenn Miller,)	
<i>Petitioning-Intervenor.</i>)	

MOTION TO EXTEND TIME TO APPEAL

Petitioning-intervenor, by counsel, moves the Court to extend by 30 days the time in which he may file a notice of appeal.

Grounds for this motion are as follows:

1. The final decision in this case was entered on January 25, 2021.
(ECF No. 109.)

2. Petitioning-intervenor Glenn Miller filed his petition to intervene on January 25, 2021, seeking leave to intervene to appeal from the final decision entered that date.

3. A fair reading of the decision of the Seventh Circuit in *CE Design, Ltd. v. Cy's Crab House North, Inc.*, 731 F.3d 725 (7th Cir. 2013), is that, unless the Court extends the time to appeal, petitioning-intervenor must file his notice of appeal on or before February 24, 2021, the 30th day after entry of

the final decision, irrespective of whether the Court has been able to rule on the motion to intervene.

4. Petitioning-intervenor therefore requests that the Court, if it is unable to rule on intervention by February 24, 2021, “enlarge the time for filing an appeal (up to 30 days), as permitted to FED. R. APP. P. 4(a)(5).” *CE Design Ltd.*, 731 F.3d at 728 (quoting *Roe v. Town of Highland*, 909 F.2d 1097, 1099-100 (7th Cir. 1990).)

It is therefore respectfully requested that the Court extend for 30 days the time in which a notice of appeal may be filed.

Respectfully submitted,

/s/ Kenneth N. Flaxman
Kenneth N. Flaxman
ARDC No. 0830399
Joel A. Flaxman
200 S Michigan Ave, Ste 201
Chicago, IL 60604
(312) 427-3200
knf@kenlaw.com
attorneys for petitioning-intervenor