

IN THE SUPREME COURT OF VIRGINIA

Record No. 20-_____

GUN OWNERS OF AMERICA, INC., et al.,
Petitioners,

v.

HON. RALPH S. NORTHAM, in his official capacity
as Governor of the Commonwealth of Virginia, &
COLONEL ANTHONY S. PIKE, in his official
capacity as Chief of the Division of Capitol Police,
Respondents.

MOTION TO FILE RESPONSE
IN EXCESS OF PAGE/WORD LIMIT

Respondents Ralph S. Northam and Anthony S. Pike respectfully
move for permission to file a response to the petition for review in
excess of the page/word limit set out in Rule 5:17A. Counsel for
Petitioners advise that they oppose this motion.

This lawsuit was filed yesterday and the circuit court held a
hearing less than two hours later—before Respondents were able to file
a written response to Petitioners’ Complaint and Application for
Temporary Injunction. The current response will thus be the first

opportunity Respondents have had to submit *any* written filings in support of the Executive Order that Petitioners challenge.

The stakes of this proceeding are significant. Petitioners seek to enjoin a key provision of an Executive Order that the Governor issued earlier this week in preparation for “Lobby Day” demonstrations that are expected to be of unprecedented size, nature, and danger. See Executive Order Forty-Nine (Northam).

Not only are the practical stakes high, the petition for review presents multiple legal issues. Petitioners allege that the Governor’s Executive Order violates “numerous federal and state constitutional provisions,” Pet. 6, and their four assignments of error raise novel legal questions concerning three state and two federal constitutional provisions, as well as several sections of the Virginia Code. Pet. 2.

Given the gravity of the issues involved and the complexity of the legal questions—and because this is Respondents’ first (and likely only) opportunity to address Petitioners’ claims in writing—Respondents respectfully request permission to file a response in excess of the otherwise applicable page/word limit. Because time is of the essence in resolving this matter, Respondents are simultaneously submitting their

response (which is 22 pages and 4,334 words in length) along with this motion.

Respectfully submitted,

HON. RALPH NORTHAM &
COLONEL ANTHONY S. PIKE

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January 17, 2020

CERTIFICATE OF SERVICE

I certify that on Friday, January 17, 2020 (a state holiday), I emailed a PDF copy of this motion to the Clerk of the Supreme Court of Virginia and to counsel for petitioners at dbrowne@sblawva.com and wjo@mindspring.com.

I further certify that on Tuesday, January 21, 2020 (the next business day), I will hand-deliver copies of this motion to the Court and the mail service copies to:

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s/ Toby J. Heytens
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