

IN THE SUPREME COURT OF IOWA

CARL OLSEN, LADD HUFFMAN,)
ALAN KOSLOW and ROBERT)
MANKE,)

Petitioners-Appellants,)

vs.)

STATE OF IOWA,)

Respondent-Appellee.)

Supreme Court No. 11-1744

**APPELLEE'S FIRST MOTION
TO ENLARGE TIME TO FILE
BRIEF AND DESIGNATION
OF APPENDIX**

Pursuant to Iowa Rule of Appellate Procedure 6.1003(2), Respondent-Appellee State of Iowa makes this motion to enlarge the time required to file its proof brief and designation of appendix, stating in support thereof:

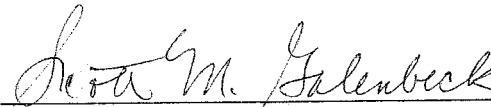
1. Appellee's proof brief and designation of appendix are due on January 23, 2012.
2. This is the first motion to enlarge time filed by Appellee.
3. Counsel for Appellee has not had sufficient time for preparation of Appellee's brief and designation of appendix due to unusual and compelling circumstances; specifically, the unexpected death of his father-in-law on December 17, 2011 and counsel's attendance at funeral proceedings the following week. Additionally, counsel for Appellee has had three contested case hearings to prepare for, all of which are set for January 18, 2012 before the Pharmacy Board. Counsel for Appellee also serves as counsel for the Credit Union Review Board, the Electrical Examiners Board, the Board of Cosmetology Arts and Sciences and the Pharmacy Board, all of which have met or will meet during January 2012. Each of these board meetings requires preparation by Appellee's counsel, prohibiting him from completing work on Appellee's brief.

4. Appellee anticipates that thirty (30) additional days will provide sufficient time to file Appellee's brief and designation of appendix.

5. Appellant Carl Olsen has been contacted and advised of the basis for this motion, and does not object to this request for an enlargement of time.

WHEREFORE Respondent-Appellee State of Iowa requests an enlargement of time to and including February 22, 2012 in which to file its proof brief and designation of appendix.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record of all parties in the above-entitled cause by enclosing the same in an envelope addressed to each such attorney at his respective address as disclosed by the pleadings of record herein, with postage fully paid, and by depositing said envelope in a United States Post Office depository in Des Moines, Iowa, on the 18th day

of January, 2012.
B. Dales