

No. A-_____

IN THE SUPREME COURT OF THE UNITED STATES

UNITED STATES EX REL. BENJAMIN CARTER,
Petitioner

v.

HALLIBURTON CO.; KELLOGG BROWN & ROOT SERVICES, INC.; SERVICE EMPLOYEES
INTERNATIONAL INC.; KBR, INC.

***RESPONDENTS' OPPOSITION TO PETITIONER'S
APPLICATION FOR AN EXTENSION OF TIME IN WHICH TO FILE
A PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT***

Respondents respectfully oppose petitioner Benjamin Carter's application for an extension of time in which to file a petition for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Respondents do not lightly oppose petitioner's request, but this is the rare extension request that warrants opposition. Petitioner's showing falls far short of the required showing of "good cause" for an extension, and the Rules of this Court make clear that "application[s] to extend the time to file a petition for a writ of certiorari [are] not favored." R. 13.5. Moreover, the facts of this case strongly support denial of petitioner's application. This case has

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supreme court

already dragged on for more than a decade, and at every turn, petitioner has sought further delays as his meritless claims grow ever more stale. The request should be denied.

Neither of petitioner's stated bases for the application supports his request for more time.

First, petitioner seeks an extension to permit him to file a single petition (or separate but coordinated petitions) with an *unnamed* petitioner whose case, he represents, presents the same issue. Application 3-4. See generally R. 12.4 (providing that joint petitions are only available when both judgments are from the same court). That request does not warrant further delay. Petitioner's counsel first broached the idea of such a joint petition to respondents' counsel on September 22, 2017, *more than fifty days ago*, regarding *United States ex rel. Shea v. Cellco P'ship*, 863 F.3d 923 (D.C. Cir. 2017). But the time for petitioning in *Shea* has now expired. And although respondents' counsel closely monitors developments in False Claims Act ("FCA") law, counsel is unaware of any other case that raises the issue petitioner poses—whether an amendment to a complaint can be used to remedy the FCA's first-to-file bar. In any event, petitioner has had ample time to coordinate with counsel for potential co-petitioners. Nothing in his application provides a basis for an extraordinary extension of sixty days.

Second, petitioner seeks additional delay to permit him to take advantage of briefing of a similar issue in *United States ex rel. Wood v. Allergan, Inc.*, No. 17-2191

(2d Cir.), as well as any decision in that case. Application 4. But briefing is already virtually complete in *Allergan*. Both parties and *amici* have filed their opening briefs. The relator-appellee in *Allergan* filed his brief in late October, and *amici* supporting relator filed their briefs November 7.¹ See Ex. 1. Thus, even without an extension, petitioner will have had *twenty days* to incorporate any matters reflected in those briefs. Only the appellant's reply brief remains outstanding. Petitioner thus does not need additional time to take advantage of briefing in *Allergan*. And petitioner already has the benefit of the extensive briefing that occurred in the *Shea* case.

Moreover, petitioner's suggestion that further delay would allow this Court to consider his petition in light of a decision in *Allergan* is entirely speculative. Even if this Court granted petitioner the maximum 60-day extension, so his petition would be due January 25, 2018, argument in *Allergan* is not even tentatively scheduled until two weeks later, during the week of February 5, 2018. See Ex. 1. There is therefore no possibility that *Allergan* will be decided before Carter's petition is filed, and it is quite likely that the case will not be decided before respondents' brief in opposition is filed. No decision in *Allergan* could reasonably be expected for at least a few months after argument. Compare Application App. 1a (in petitioner's case, court took four months and nine days to resolve issue); *United States ex rel. Shea v. Celco P'ship*, 863 F.3d 923 (D.C. Cir. 2017) (court took nine months to decide similar issue). It is therefore entirely speculative that *Allergan* will be decided during the pendency of

¹ Petitioner is incorrect that "the most recent amicus brief was filed November 9." App. 4. As the docket reflects, that brief was a corrected version of a brief already filed on November 7. Compare Dkt. 84 with Dkt. 79.

Carter's petition. And this Court has already denied review on the allegation that *United States ex rel. Gadbois v. PharMerica Corp.*, 809 F.3d 1, 6 (1st Cir. 2015), created a circuit split. See *PharMerica Corp. v. United States ex rel. Gadbois*, 136 S. Ct. 2517 (2016).

Petitioner identifies none of the traditional bases for requesting delay. He identifies no conflicting deadlines or personal commitments. Nor is additional time needed to allow new lawyers to get up to speed: The lawyers seeking further delay are the very same lawyers who litigated this matter before the Fourth Circuit.

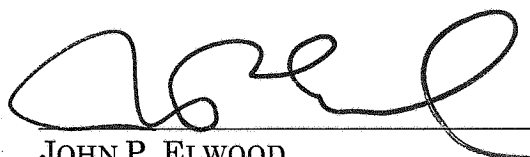
There are very strong reasons to deny petitioner's request. This case was first unsealed in 2008. Petitioner has already used virtually every procedural device imaginable to extend the life of this case, beginning with "a remarkable series of dismissals and filings." *Kellogg Brown & Root Servs., Inc. v. United States ex rel. Carter*, 135 S. Ct. 1970, 1974 (2015). Since this Court ruled against petitioner, petitioner has met every new setback with (almost uniformly unsuccessful) petitions for rehearing or reconsideration. Most recently, after losing before the Fourth Circuit, petitioner not only sought rehearing en banc; he moved—in the court of appeals—for leave to file an amended and supplemental complaint pursuant to Federal Rule of Civil Procedure 15. The Fourth Circuit summarily denied both requests for relief. After more than a decade of litigation defending against Carter's stale and meritless claims, respondents are entitled to repose. See generally *Gabelli*

v. *SEC*, 568 U.S. 442, 452 (2013) (emphasizing “the importance of time limits on penalty actions”). The application should be denied.

CONCLUSION

Petitioner’s application for an extension of time in which to file a petition for a writ of certiorari should be denied.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Elwood', written over a horizontal line.

JOHN P. ELWOOD

Counsel of Record

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November 16, 2017

Exhibit 1

Docket, *United States ex rel. Wood v. Allergan, Inc.*, 17-2191 (2d Cir.)

**General Docket
Court of Appeals, 2nd Circuit**

Court of Appeals Docket #: 17-2191
Nature of Suit: 2890 STATUTES-Other
United States of America ex re v. Allergan, Inc.
Appeal From: SDNY (NEW YORK CITY)
Fee Status: Paid

Docketed: 07/17/2017**Case Type Information:**

- 1) Civil
- 2) United States
- 3) -

Originating Court Information:

District: 0208-1 : 10-cv-5645
Trial Judge: Jesse M. Furman, U.S. District Judge
Date Filed: 07/26/2010
Date Order/Judgment:
03/31/2017

Date NOA Filed:
07/17/2017

Prior Cases:

None

Current Cases:

None

Panel Assignment: Not available

ABC
Plaintiff

Commonwealth of Massachusetts
Plaintiff

State of Montana
Plaintiff

District of Columbia
Plaintiff

State of Indiana
Plaintiff

State of New York
Plaintiff

Commonwealth of Virginia
Plaintiff

State of Louisiana
Plaintiff

State of Delaware
Plaintiff

State of Minnesota
Plaintiff

State of Oklahoma
Plaintiff

State of Michigan
Plaintiff

State of Hawaii
Plaintiff

State of North Carolina
Plaintiff

United States of America, ex rel
Plaintiff

State of California
Plaintiff

State of Georgia
Plaintiff

State of Tennessee
Plaintiff

State of Florida
Plaintiff

State of Wisconsin
Plaintiff

State of New Mexico
Plaintiff

State of Illinois
Plaintiff

State of Nevada
Plaintiff

State of Connecticut
Plaintiff

State of New Jersey
Plaintiff

State of Texas
Plaintiff

State of Colorado
Plaintiff

State of Maryland
Plaintiff

State of New Hampshire
Plaintiff

John A. Wood
Plaintiff - Appellee

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11/15/2017

17-2191 Docket

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Defendant

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Defendant - Appellant

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Amicus Curiae

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11/15/2017

17-2191 Docket

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John A. Wood,

Plaintiff - Appellee,

ABC, Commonwealth of Massachusetts, State of Montana, District of Columbia, State of Indiana, State of New York, Commonwealth of Virginia, State of Louisiana, State of Delaware, State of Minnesota, State of Oklahoma, State of Michigan, State of Hawaii, State of North Carolina, United States of America, ex rel, State of California, State of Georgia, State of Tennessee, State of Florida, State of Wisconsin, State of New Mexico, State of Illinois, State of Nevada, State of Connecticut, State of New Jersey, State of Texas, State of Colorado, State of Maryland, State of New Hampshire,

Plaintiffs,


v.


Allergan Inc.,


Defendant - Appellant,


DEF, Allergan PLC,


Defendants.


07/17/2017  1 NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellant Allergan Inc., FILED. [2080074] [17-2191] [Entered: 07/17/2017 12:39 PM]
3 pg, 37.02 KB


07/17/2017  2 DISTRICT COURT OPINION AND ORDER, dated 03/31/2017, RECEIVED.[2080077] [17-2191] [Entered: 07/17/2017 12:41 PM]
89 pg, 562.07 KB


07/21/2017  4 PAYMENT OF DOCKETING FEE, on behalf of Appellant Allergan Inc., district court receipt # 465401185972, FILED.[2084020] [17-2191] [Entered: 07/21/2017 04:31 PM]
19 pg, 104.74 KB


07/31/2017  7 LETTER, Appellant Allergan Inc. apprising the Court that it has retained Jeffrey S. Bucholtz of King & Spalding LLP to represent it in this appeal, dated 07/31/2017, on behalf of Appellant Allergan Inc., RECEIVED. Service date 07/31/2017 by CM/ECF.[2090342] [17-2191] [Entered: 07/31/2017 04:40 PM]
1 pg, 243.3 KB


07/31/2017  8 ATTORNEY, Jeffrey S. Bucholtz, [7], in place of attorney Mark Andrew Perry, SUBSTITUTED.[2090347] [17-2191] [Entered: 07/31/2017 04:41 PM]


07/31/2017  9 ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellant Allergan Inc., FILED. Service date 07/31/2017 by CM/ECF.[2090382] [17-2191] [Entered: 07/31/2017 04:57 PM]
2 pg, 89.7 KB


07/31/2017  10 FORM C, on behalf of Appellant Allergan Inc., FILED. Service date 07/31/2017 by CM/ECF.[2090395] [17-2191] [Entered: 07/31/2017 05:00 PM]
117 pg, 597.52 KB


07/31/2017  11 FORM D, on behalf of Appellant Allergan Inc., FILED. Service date 07/31/2017 by CM/ECF.[2090402] [17-2191] [Entered: 07/31/2017 05:02 PM]
1 pg, 43.51 KB


07/31/2017  12 NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellant Allergan Inc., FILED. Service date 07/31/2017 by CM/ECF. [2090477] [17-2191] [Entered: 07/31/2017 08:37 PM]
2 pg, 49.8 KB


07/31/2017  13 MOTION, to expedite appeal, on behalf of Appellant Allergan Inc., FILED. Service date 07/31/2017 by CM/ECF. [2090479] [17-2191] [Entered: 07/31/2017 08:44 PM]
8 pg, 128.23 KB


08/01/2017  14 ATTORNEY, Paul Alessio Mezzina for Allergan Inc., in case 17-2191 , [12], ADDED.[2090555] [17-2191] [Entered: 08/01/2017 08:43 AM]


08/01/2017  16 CAPTION, Commonwealth of Massachusetts, State of Montana, District of Columbia, State of Indiana, State of New York, Commonwealth of Virginia, State of Louisiana, State of Delaware, State of Minnesota, State of Oklahoma, State of Michigan, State of Hawaii, State of North Carolina, United States of America, ex rel, State of California, State of Georgia, State of Tennessee, State of Florida, State of Wisconsin, State of New Mexico, State of Illinois, State of Nevada, State of Connecticut, State of New Jersey, State of Texas, State of Colorado, State of Maryland, State of New Hampshire, Plaintiffs AMENDED. [2090616] [17-2191] [Entered: 08/01/2017 09:13 AM]
1 pg, 9.37 KB


08/01/2017  17 NOTICE, to Appellee John A. Wood , for failure to file an appearance, SENT.[2090714] [17-2191] [Entered: 08/01/2017 09:48 AM]
1 pg, 9.7 KB


08/01/2017  19 INDEX/ROA NOTICE, to Appellant Allergan Inc., past due material(s) to be submitted by 08/15/2017, SENT.[2090722] [17-2191] [Entered: 08/01/2017 09:53 AM]
1 pg, 10.11 KB


08/02/2017  22 NEW CASE MANAGER, Jennifer Thompson, ASSIGNED.[2091554] [17-2191] [Entered: 08/02/2017 10:57 AM]
1 pg, 9.17 KB


08/02/2017  23 ELECTRONIC INDEX, in lieu of record, FILED.[2091720] [17-2191] [Entered: 08/02/2017 11:51 AM]
20 pg, 115.08 KB


08/02/2017  24 OPPOSITION TO MOTION, [13], on behalf of Appellee John A. Wood, FILED. Service date 08/02/2017 by CM/ECF. [2092341] [17-2191] [Entered: 08/02/2017 05:12 PM]
9 pg, 74.48 KB


08/08/2017  28 MOTION ORDER, granting motion to expedite appeal [13] filed by Appellant Allergan Inc., by RJL, Circuit Judge, FILED. [2096001][28] [17-2191] [Entered: 08/08/2017 02:16 PM]
1 pg, 72.14 KB


08/31/2017  30 NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, Movant United States of America, FILED. Service date 08/31/2017 by CM/ECF. [2115044] [17-2191]--[Edited 08/31/2017 by JT] [Entered: 08/31/2017 03:33 PM]
1 pg, 31.72 KB

08/31/2017  31 NEW PARTY, Movant United States of America, ADDED.[2115095] [17-2191] [Entered: 08/31/2017 04:03 PM]


08/31/2017  32 MOTION, to extend time, on behalf of Movant United States of America, FILED. Service date 08/31/2017 by CM/ECF. [2115169] [17-2191] [Entered: 08/31/2017 04:36 PM]
7 pg, 122.68 KB


09/05/2017  36 MOTION ORDER, granting motion to extend time [32] filed by Movant United States of America, by SLC, Circuit Judge, FILED. [2116359][36] [17-2191] [Entered: 09/05/2017 08:49 AM]
1 pg, 71.11 KB


09/08/2017  37 NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellant Allergan Inc., FILED. Service date 09/08/2017 by CM/ECF. [2120164] [17-2191] [Entered: 09/08/2017 12:24 PM]
2 pg, 49.84 KB


09/08/2017  38 ATTORNEY, Christopher Robert Healy for Allergan Inc., in case 17-2191 , [37], ADDED.[2120208] [17-


2191] [Entered: 09/08/2017 12:49 PM]


09/12/2017  39
48 pg, 181.43 KB BRIEF, on behalf of Appellant Allergan Inc., FILED. Service date 09/12/2017 by CM/ECF.[2122551] [17-2191] [Entered: 09/12/2017 02:34 PM]


09/12/2017  40
203 pg, 2.01 MB JOINT APPENDIX, volume 1 of 1, (pp. 1-199), on behalf of Appellant Allergan Inc., FILED. Service date 09/12/2017 by CM/ECF.[2122561] [17-2191] [Entered: 09/12/2017 02:40 PM]


09/19/2017  46
1 pg, 48.39 KB NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, The Chamber of Commerce of the United States of America, FILED. Service date 09/19/2017 by CM/ECF. [2128645] [17-2191]--[Edited 09/20/2017 by JT] [Entered: 09/19/2017 04:54 PM]


09/19/2017  47
41 pg, 143.09 KB AMICUS BRIEF, on behalf of The Chamber of Commerce of the United States of America, FILED. Service date 09/19/2017 by CM/ECF. [2128650] [17-2191]--[Edited 09/20/2017 by JT] [Entered: 09/19/2017 04:58 PM]


09/19/2017  48
1 pg, 48.43 KB NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, The Chamber of Commerce of the United States of America, FILED. Service date 09/19/2017 by CM/ECF. [2128668] [17-2191]--[Edited 09/20/2017 by JT] [Entered: 09/19/2017 05:06 PM]


09/20/2017  49
NEW PARTY, Amicus Curiae The Chamber of Commerce of the United States of America, ADDED. [2129206] [17-2191] [Entered: 09/20/2017 11:05 AM]


09/20/2017  50
ATTORNEY, Ralph C. Mayrell for The Chamber of Commerce of the United States of America, in case 17-2191 , [48], ADDED.[2129211] [17-2191] [Entered: 09/20/2017 11:07 AM]


09/21/2017  51
1 pg, 64.54 KB NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Amicus Curiae The Chamber of Commerce of the United States of America, FILED. Service date 09/21/2017 by CM/ECF. [2130622] [17-2191] [Entered: 09/21/2017 02:33 PM]


09/21/2017  52
1 pg, 64.5 KB NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Amicus Curiae The Chamber of Commerce of the United States of America, FILED. Service date 09/21/2017 by CM/ECF. [2130636] [17-2191] [Entered: 09/21/2017 02:42 PM]


09/21/2017  53
ATTORNEY, Steven Paul Lehotsky for The Chamber of Commerce of the United States of America, in case 17-2191 , [51], ADDED.[2130678] [17-2191] [Entered: 09/21/2017 03:03 PM]


09/21/2017  54
ATTORNEY, Warren David Postman for The Chamber of Commerce of the United States of America, in case 17-2191 , [52], ADDED.[2130679] [17-2191] [Entered: 09/21/2017 03:04 PM]


10/03/2017  57
AMICUS BRIEF, <EDIT by Clerk's Office>, FILED. Service date 10/03/2017 by CM/ECF. [2139279] [17-2191] [Entered: 10/03/2017 04:28 PM]


10/04/2017  58
2 pg, 17.36 KB DEFECTIVE DOCUMENT,BRIEF, [57], on behalf of Amicus Curiae United States of America, FILED. [2140143] [17-2191] [Entered: 10/04/2017 12:33 PM]


10/04/2017  59
32 pg, 175.34 KB AMICUS BRIEF, on behalf of Amicus Curiae United States of America, FILED. Service date 10/04/2017 by CM/ECF.[2140258] [17-2191] [Entered: 10/04/2017 01:30 PM]


10/10/2017  60
11 pg, 148.45 KB MOTION, to extend time, on behalf of Appellee John A. Wood, FILED. Service date 10/10/2017 by CM/ECF. [2143436] [17-2191] [Entered: 10/10/2017 01:19 PM]


10/11/2017  64
1 pg, 71.09 KB MOTION ORDER, granting motion to extend time for Appellee's brief due 10/31/2017, Appellant's reply brief due 11/21/2017 [60] filed by Appellee John A. Wood, by RKW, Circuit Judge, FILED. [2145048][64] [17-2191] [Entered: 10/11/2017 03:19 PM]


10/13/2017  65
CURED DEFECTIVE BRIEF, [58], [59], on behalf of Amicus Curiae United States of America, FILED. [2146985] [17-2191] [Entered: 10/13/2017 12:38 PM]


10/30/2017  67
5 pg, 237.07 KB NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellee John A. Wood, FILED. Service date 10/30/2017 by CM/ECF, email, US mail. [2160286] [17-2191] [Entered: 10/30/2017 05:12 PM]
















10/30/2017  68
5 pg, 141.35 KB NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellee John A. Wood, FILED. Service date 10/30/2017 by CM/ECF, email, US mail. [2160302] [17-2191] [Entered: 10/30/2017 05:22 PM]

10/31/2017  69
ATTORNEY, W. Scott Simmer for John A. Wood, in case 17-2191 , [67], ADDED.[2160945] [17-2191] [Entered: 10/31/2017 12:50 PM]

10/31/2017  70
ATTORNEY, Thomas J. Poulin for John A. Wood, in case 17-2191 , [68], ADDED.[2160948] [17-2191] [Entered: 10/31/2017 12:52 PM]

10/31/2017  71
230 pg, 4.71 MB MOTION, for judicial notice, on behalf of Appellee John A. Wood, FILED. Service date 10/31/2017 by CM/ECF. [2161343] [17-2191] [Entered: 10/31/2017 06:58 PM]

10/31/2017  72
BRIEF, on behalf of Appellee John A. Wood, FILED. Service date 10/31/2017 by CM/ECF. [2161345] [17-2191] [Entered: 10/31/2017 07:01 PM]

11/01/2017	 <u>75</u> 1 pg, 70.54 KB	MOTION ORDER, referring motion for judicial notice [71] filed by Appellee John A. Wood, FILED. [2161667][75] [17-2191] [Entered: 11/01/2017 11:09 AM]
11/07/2017	 <u>77</u> 1 pg, 37.7 KB	NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, Movant Taxpayers Against Fraud Education Fund, FILED. Service date 11/07/2017 by CM/ECF. [2167003] [17-2191]--[Edited 11/08/2017 by JT] [Entered: 11/07/2017 04:46 PM]
11/07/2017	 <u>78</u>	MOTION TO FILE AMICUS CURIAE BRIEF, on behalf of Movant Taxpayers Against Fraud Education Fund, FILED. Service date 11/07/2017 by CM/ECF. [2167012] [17-2191]--[Edited 11/08/2017 by JT] [Entered: 11/07/2017 04:49 PM]
11/07/2017	 <u>79</u> 33 pg, 109.82 KB	AMICUS BRIEF, on behalf of Movant Taxpayers Against Fraud Education Fund, FILED. Service date 11/07/2017 by CM/ECF. [2167021] [17-2191]--[Edited 11/08/2017 by JT] [Entered: 11/07/2017 04:52 PM]
11/08/2017	 <u>80</u>	NEW PARTY, Movant Taxpayers Against Fraud Education Fund, ADDED. [2167222] [17-2191] [Entered: 11/08/2017 09:24 AM]
11/08/2017	 <u>81</u> 2 pg, 17.28 KB	DEFECTIVE DOCUMENT, MOTION TO FILE AMICUS CURIAE BRIEF, [78], on behalf of Movant Taxpayers Against Fraud Education Fund, FILED. [2167238] [17-2191] [Entered: 11/08/2017 09:31 AM]
11/08/2017	 <u>82</u> 2 pg, 17.32 KB	DEFECTIVE DOCUMENT, BRIEF, [72], on behalf of Appellee John A. Wood, FILED. [2167532] [17-2191] [Entered: 11/08/2017 11:13 AM]
11/09/2017	 <u>83</u> 1 pg, 83.62 KB	LETTER, on behalf of Movant Taxpayers Against Fraud Education Fund, informing the Court that all parties have consented to the filing of the Amicus Curiae brief, RECEIVED. Service date 11/09/2017 by CM/ECF. [2168910] [17-2191]--[Edited 11/14/2017 by JT] [Entered: 11/09/2017 11:28 AM]
11/09/2017	 <u>84</u> 33 pg, 101.69 KB	AMICUS BRIEF, on behalf of Taxpayers Against Fraud Education Fund, FILED. Service date 11/09/2017 by CM/ECF. [2168924] [17-2191]--[Edited 11/14/2017 by JT] [Entered: 11/09/2017 11:34 AM]
11/09/2017	 <u>85</u> 67 pg, 334.93 KB	BRIEF, on behalf of Appellee John A. Wood, FILED. Service date 11/09/2017 by CM/ECF. [2168956] [17-2191] [Entered: 11/09/2017 11:48 AM]
11/14/2017	 <u>86</u>	CURED DEFECTIVE MOTION, [81], [83], on behalf of Amicus Curiae Taxpayers Against Fraud Education Fund, FILED. [2171449] [17-2191] [Entered: 11/14/2017 10:51 AM]
11/14/2017	 <u>88</u>	CURED DEFECTIVE BRIEF, [82], [85], on behalf of Appellee John A. Wood, FILED. [2171718] [17-2191] [Entered: 11/14/2017 12:52 PM]
11/14/2017	 <u>91</u> 5 pg, 195.4 KB	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Thomas J. Poulin, Esq. for Appellee John A. Wood, FILED. Service date 11/14/2017 by CM/ECF, email, US mail. [2172050] [17-2191] [Entered: 11/14/2017 04:15 PM]
11/14/2017	 <u>93</u> 2 pg, 85.62 KB	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Mr. Jeffrey S. Bucholtz, Esq. for Appellant Allergan Inc., FILED. Service date 11/14/2017 by CM/ECF. [2172171] [17-2191] [Entered: 11/14/2017 06:13 PM]
11/15/2017	 <u>95</u>	CASE CALENDARING, for the week of 02/05/2018, PROPOSED. [2172364] [17-2191] [Entered: 11/15/2017 09:37 AM]

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No. _____

IN THE SUPREME COURT OF THE UNITED STATES

UNITED STATES EX REL. BENJAMIN CARTER,
Petitioner

v.

HALLIBURTON CO.; KELLOGG BROWN & ROOT SERVICES, INC.; SERVICE EMPLOYEES
INTERNATIONAL INC.; KBR, INC.

CERTIFICATE OF SERVICE

I, John P. Elwood, a member of the Bar of this Court, certify that on this 15th day of November, 2017, I caused to be served by first-class mail, postage prepaid, a copy of the respondents' opposition to petitioner's application for an extension of time in which to file a petition for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit in the above-captioned case on:

David S. Stone
Stone & Magnanini LLP
100 Connell Drive, Suite 2200
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The Solicitor General
Room 5616
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001
(202) 514-2203

I further certify that all parties required to be served have been served.



John P. Elwood

Dated: November 16, 2017