



February 23, 2018

Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

Re: *First Resort, Inc. v. Dennis J. Herrera, et al.*, No. 17-1087,
Response to Respondents' Request for an Extension of Time to
File Brief in Opposition

Dear Mr. Harris,

Earlier today, Respondents requested that their deadline to file a brief in opposition to Petitioner's certiorari petition be extended by 45 days, from March 5, 2018, until April 19, 2018.

Petitioner submits this response to alert the Court to a unique circumstance. If the Court keeps the current deadline in place, it will have the opportunity to consider the petition in this case at the same conference in which it considers the merits of *National Institute of Family & Life Advocates v. Becerra*, No. 16-1140 (*NIFLA*). While *NIFLA* presents distinct issues from this case, it also involves a state or municipal law regulating the speech of pregnancy centers that do not provide or refer for abortions.

NIFLA will be argued on March 20 and thus is likely to be discussed at the Court's conference on March 23. If the deadlines for this petition remain the same, Petitioner would expect to submit its reply brief promptly on March 6, so that the petition can be distributed by March 7 for consideration at that same March 23 conference.

Alternatively, if the Court does not believe it would be helpful to consider this petition at the same time it considers *NIFLA*, Petitioner has no objection to the requested extension.

Respectfully,
s/Mark L. Rienzi
Mark L. Rienzi
Counsel of Record for Petitioner

cc: Counsel for Respondents, via U.S. mail and email



CERTIFICATE OF SERVICE

A copy of this response was mailed to the counsel listed below in
accordance with Supreme Court Rule 29.3:

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