



January 16, 2018

Scott S. Harris, Clerk
Supreme Court of the United States
One First Street, NE
Washington, D.C. 20543

Re: *Daleiden, et al. v. National Abortion Federation*, No. 17-202

Dear Mr. Harris,

Petitioners the Center for Medical Progress and David Daleiden take no position as to the request of Respondent National Abortion Federation (NAF) for a further extension of time to respond to their Petition for Certiorari. However, if the Court is inclined to grant NAF's second request for an extension, Petitioners respectfully request that this be the last such extension because of the irreparable harm that the subject Preliminary Injunction continues to cause. Petitioners' request is necessitated by the following circumstances:

- (1) Petitioners' First Amendment rights to free speech are being continuously infringed while the subject Preliminary Injunction remains in effect;
- (2) the Preliminary Injunction is prejudicing Petitioners' ability to fully and effectively defend against the underlying action, as well as a related case against these Petitioners brought by Planned Parenthood Federation of America (PPFA) and various of its affiliates in the same District Court;
- (3) the Preliminary Injunction is interfering with Petitioner Daleiden's ability to defend against state court criminal charges premised on recordings made at Respondent NAF's annual meeting in San Francisco, and
- (4) the Preliminary Injunction prevents Petitioners from providing information to assist in ongoing investigations against PPFA and its affiliates by the FBI and the U.S. Department of Justice, and is therefore potentially obstructing those investigations.

Respectfully submitted,

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