No. 18-1401

IN THE

Supreme Court of the United States

DAVID D. PETERSON,

Petitioner,

v. Linear Controls, Inc.,

Respondent.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

JOINT MOTION TO DEFER CONSIDERATION OF THE PETITION FOR WRIT OF CERTIORARI

Petitioner and respondent jointly move to defer consideration of the petition for writ of certiorari, currently distributed for the June 4, 2020 Conference, on the grounds that the parties are currently working on a settlement of the case and, if the settlement is finalized, anticipate filing a motion under this Court's Rule 46.

Respectfully submitted,

<u>/s/ William S. Helfand</u> Counsel of Record for Respondent LEWIS, BRISBOIS, BISGAARD & SMITH 24 Greenway Plaza Suite 1400 Houston, TX 77046 (713) 659-6767 bill.helfand@lewisbrisbois.com <u>/s/ Pamela S. Karlan</u> Counsel of Record for Petitioner Brian H. Fletcher STANFORD LAW SCHOOL SUPREME COURT LITIGATION CLINIC 559 Nathan Abbott Way Stanford, CA 94305 (650) 725-4851 karlan@stanford.edu

May 28, 2020