

No. \_\_\_\_\_

In the  
Supreme Court of the United States

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**JERRY ARTRIP,**

*Petitioner,*

v.

**BALL CORPORATION, BALL METAL BEVERAGE CONTAINER COR  
&ALCOA INC.**

*Respondent.*

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**APPLICATION FOR EXTENSION OF TIME TO FILE  
A PETITION FOR WRIT OF CERTIORARI**

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*Counsel for Petitioner*

To the Honorable John Roberts, Associate Justice of the Supreme Court of the United States:

Petitioner, Jerry Artrip, respectfully requests an extension of time to file a Petition for Writ of Certiorari to review an order of the Supreme Court affirming the appellate court's entry of judgment which misapplied *Bell Atlantic Corp v. Twonbly*, 550 U.S 544 (2007). Petitioner requests that he be granted a sixty (60) day extension of time, up to and including November 28, 2018. The U.S. Court of Appeals for the Federal Circuit entered the challenged order on June 28, 2018.

Pursuant to Rule 13.1 of the Rules of the United States Supreme Court, Petitioner has ninety (90) days from June 28, 2018, to file his Petition for Writ of Certiorari with this Honorable Court. Thus, Petitioner's Petition for Writ of Certiorari is currently due to the Court no later than September 26, 2018. The instant application for extension of time is filed more than (10) days before September 26, 2018.

The undersigned attorney understands that this Court disfavors applications for extensions of time and is reluctant to file the instant application; however, there is good cause for the extension of time. Petitioner recently retained the undersigned firm. Undersigned counsel is working with another attorney in the firm to prepare the Petition. In addition, because the undersigned attorney did not represent Petitioner in any prior proceedings, he must review the entirety of record below to effectively prepare the Petition for Writ of Certiorari. Accordingly, the undersigned attorney requires additional time to prepare the Petition for Writ of Certiorari.

#### **CERTIFICATE OF CONSULTATION**

On September 13, 2018, the undersigned contacted opposing counsel. However, the undersigned does not know if opposing counsel objects to such extension of time.

WHEREFORE Petitioner, Jerry Artrip, respectfully requests that this Honorable Court enter an order extending the time to file the Petition for Writ of Certiorari by an additional sixty (60) days, up to and including November 28, 2018.

Respectfully submitted,

/s/ Robert L. Sirianni, Jr., Esq.  
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*Counsel for Petitioner*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, in accordance with Rule 29.3 of the Rules of the United States Supreme Court, that I furnished a true and correct copy of the foregoing application for extension of time via electronic mail, this 13th day of September 2018 to Nicole Sigurdson Nan at [Nicole.nan@dinsmore.com](mailto:Nicole.nan@dinsmore.com) and Steven R. Minor at [sminor@elliottlawson.com](mailto:sminor@elliottlawson.com).

/s/ Robert L. Sirianni, Jr., Esq.  
Robert L. Sirianni, Jr., Esquire