

No. 19-1388

IN THE SUPREME COURT OF THE UNITED STATES

JASON SMALL, PETITIONER

v.

MEMPHIS LIGHT, GAS & WATER, RESPONDENT

*ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT*

**MOTION FOR EXTENSION OF TIME TO FILE BRIEF IN OPPOSITION
TO PETITION FOR WRIT OF CERTIORARI**

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COUNSEL OF RECORD FOR RESPONDENT

**MOTION FOR EXTENSION OF TIME TO FILE BRIEF IN OPPOSITION
TO PETITION FOR WRIT OF CERTIORARI**

Respondent Memphis Light, Gas & Water, the Respondent in the above-referenced matter, pursuant to Supreme Court Rule 30.4, by and through the undersigned counsel, submits this its Motion for Extension of Time to File Brief in Opposition to Petition for Writ of Certiorari to the Clerk for the purpose of requesting a thirty (30) day extension of time to file the Respondent's Brief in Opposition to Petitioner's Petition for Writ of Certiorari, up to and including October 19, 2020. In further support, Respondent would respectfully show as follows:

1. Petitioner filed the Petition for Writ of Certiorari on November 21, 2019.
2. Correspondence from the Clerk of the Court issued to the undersigned counsel of record for Respondent on August 19, 2020, indicates that the Court has requested that a responsive brief is filed on or before September 18, 2020.
3. Pursuant to Supreme Court Rule 30.4, the relief herein requested "may be presented in the form of a letter to the Clerk setting out specific reasons why an extension of time is justified...The motion may be acted on by the Clerk in the first instance and, and any party aggrieved by the Clerk's action may request that the motion be submitted to a Justice or to the Court.
4. This is Respondent's first request for an extension of time to file its responsive brief.
5. Pursuant to Supreme Court Rule 30.4, the Clerk has the authority to grant the additional time requested herein.
6. Respondent requests an extension of time to file its responsive brief based on the following specific reasons pursuant to Rule 30.4:

- a. Counsel for Respondent seeks additional time to ensure efficient coordination of a responsive brief that comprehensively addresses the reasons why the Petition for Writ of Certiorari should be denied and ensures strict compliance with the Rules of the Court;
- b. Due to precautions implemented in response to the national coronavirus pandemic and consequences of the pandemic outside of the control of counsel, the offices of the undersigned counsel for Respondent have been operating for several months with limited in-office staff and limited access to certain records; and
- c. The current due date for the responsive brief overlaps substantially with Counsel's court-ordered deadlines and responsibilities with respect to several other cases.

7. Counsel for Respondent consulted with counsel for Petitioner on August 31, 2020 regarding the relief for requested. Counsel for Respondent is aware of Petitioner's objection to any extension past October 16, 2020.

Based on the foregoing, while Respondent respectfully requests a thirty (30) day extension of time to file the requested responsive brief, up to and including October 19, 2020; Respondent is amenable to an extension of twenty-eight (28) days, up to and including October 16, 2020, to file its responsive brief, in light of Petitioner's stated position on Respondent's request.

Dated: September 1, 2020

Respectfully submitted,

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