

In the
Supreme Court of the United States

SEN. JOHN SCHICKEL, in his personal and official capacities, et al.

Applicants

v.

GEORGE C. TROUTMAN, in his official capacity as Chairman and Member
of the Kentucky Legislative Ethics Commission, et al.

Respondents

**KENTUCKY LEGISLATIVE ETHICS COMMISSION'S RESPONSE IN
OPPOSITION TO APPLICATION TO EXTEND TIME TO FILE A
PETITION FOR A WRIT OF CERTIORARI**

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¹ Attorney S. Travis Mayo is admitted to the bar of the United States Supreme Court. Attorneys La Tasha Buckner and Laura C. Tipton are in the process of completing and compiling the paperwork necessary to apply for admission; they are admitted to the bar of the Kentucky Supreme Court.

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George C. Troutman, in his official capacity as Chairman and member of the Kentucky Legislative Ethics Commission, Elmer George, Pat Freibert, Tony Goetz, Ken Winters, Tom Jensen, Sheldon Baugh, Phil Huddleston, Anthony M. Wilhoit, and H. John Schaaf (collectively, the “Kentucky Legislative Ethics Commission Respondents” or “KLEC Respondents”), by counsel, hereby respond in opposition to the application to extend the time to file a petition for a writ of certiorari filed by

Applicants Senator John Schickel, in his official and individual capacities, and David Watson.

Pursuant to Supreme Court Rule 13.5, “[f]or good cause,” a Justice may grant an applicant an extension of time of up to 60 days to file a petition for a writ of certiorari. Applications for such extensions, however, are “not favored.” *Id.*

Here, Applicants seek the maximum 60-day extension of time to file their petition for a writ of certiorari. Counsel for the Applicants signed their application for an extension on July 12, 2019, only one day after the United States Court of Appeals for the Sixth Circuit issued its order denying their petition for rehearing *en banc*, which started their ninety-day clock to petition this Court for review. (*See* Application, App. B.) In support of their application, Applicants essentially state that the issues in the case are important.

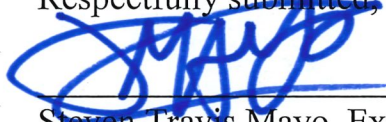
While the KLEC Respondents agree that this case involves important legislative ethics provisions enacted by the Commonwealth of Kentucky to combat corruption in its General Assembly, they must disagree that the case merits a sixty-day extension. As conceded by Applicants, the legal questions raised in the case are “simple” (Application, p. 3), and the parties fully briefed them in the courts below. Thus, a 150-day period of time to file a petition for a writ of certiorari is excessive.

Further, the KLEC Respondents disagree with Applicants that there is any prospect this Court will grant certiorari. The Sixth Circuit’s decision is supported

by established precedent. Although Applicants assert that the Sixth Circuit's opinion conflicts with the decisions of other circuits, they provide examples of none. (*See* Application, p. 4.)

On this record, the KLEC Respondents submit that Applicants have failed to provide "just cause" for a 60-day extension of time to file their petition for a writ of certiorari. The KLEC Respondents respectfully ask the Court to deny their Application.

Respectfully submitted,



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CERTIFICATE OF SERVICE

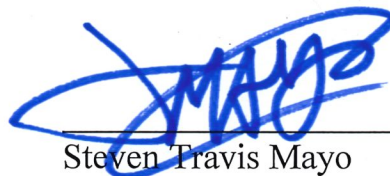
I hereby certify that on July 24, 2019, a true and accurate copy of the foregoing Response was served via U.S. Mail, first class and postage prepaid, upon the following:

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