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DIVISION OF APPEALS & OPINIONS

November 22, 2019

The Honorable Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
One First Street, N.E.  
Washington, DC 20543

Re: *Poole v. New York State Citizens' Coalition for Children*, No. 19-574

Dear Mr. Harris:

I am counsel for petitioner in the above-referenced case. I write in response to respondent's November 21, 2019, letter requesting a 30-day extension to January 2, 2020, to respond to the petition for a writ of certiorari.

Petitioner does not oppose an extension, but respectfully requests that the extension be limited to December 18, 2019, in order to allow this petition to be considered and granted in time for argument this term. If respondent files its response by that date, petitioner intends to waive the 14-day waiting period for distributing the petition and respondent's brief, and will file its reply brief by December 24, 2019. That schedule would permit this Court to consider the petition at its January 10, 2020, conference and, if certiorari is granted, to schedule this case for argument this term.

Petitioner has a strong interest in prompt resolution of the question presented, which raises an important threshold issue concerning the availability of a private right of action enforceable by plaintiffs such as respondent. This litigation has been pending since 2010, and the court of appeals' decision below has created genuine uncertainty about the State's foster care obligations going forward. Reversal of that decision would resolve that uncertainty, obviate further proceedings, and finally conclude this litigation.

I have informed counsel for respondent of this proposed alternative schedule but have not received a response.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steven C. Wu", with a long horizontal flourish extending to the right.

Steven C. Wu  
Deputy Solicitor General

cc: Brian R. Matsui, Counsel to Respondent