

No. -----

**In The
SUPREME COURT OF THE UNITED STATES**

STUART FORCE, et al.,

Petitioners,

v.

FACEBOOK, INC.

Respondent

**APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR
WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE SECOND CIRCUIT**

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Counsel for Petitioners

To the Honorable Ruth Bader Ginsburg, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Second Circuit:

Petitioners Stuart Force, *et al.*¹ pray for a 45 day extension of time to file their petition for certiorari in this Court to and including January 11, 2020. The final judgment of the Second Circuit was entered on July 31, 2019. A timely petition for rehearing and rehearing *en banc* was denied on August 29, 2019. Petitioners' time to petition for certiorari in this Court expires on November 27, 2019. This application is being filed more than 10 days before that date.

A copy of the opinion below, and of the order denying rehearing, are attached hereto. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

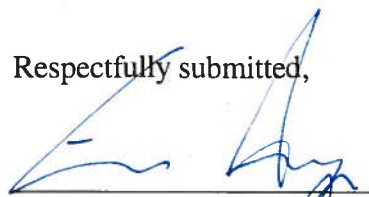
This case concerns section 230 of the Communications Decency Act, 47 U.S.C. § 230(c)(1). Plaintiffs are United States citizens who were victims of Hamas terrorist attacks in Israel, and the family members of those victims. Hamas has been designated as a foreign terrorist organization by the United States. Plaintiffs commenced this action, *inter alia*, under the Anti-Terrorism Act, 18 U.S.C. § 2333, as modified by the Justice Against Sponsors of Terrorism Act of 2016. Pub. L. 114-222, § 2(b), 130 Stat. 852, 853 (2016). The complaint alleged that Facebook, in violation of the Anti-Terrorism Act, had provided "material support" to Hamas. *See* 18 U.S.C. § 2339B. A majority of the Second Circuit held that section 230 immunized Facebook from any civil liability for having provided any such support to Hamas. Chief Judge Katzmann dissented in part, and would have held that immunity under section 230 did not extend to certain actions allegedly taken by Facebook.

Petitioners were represented in the court below by counsel in Brooklyn, New York, who have more limited experience in this Court. Because of the distinctive issues and procedures in this Court, petitioners have recently retained as additional counsel Eric Schnapper of Seattle,

Washington. Mr. Schnapper requires additional time to familiarize himself with the record herein and to perform the legal research necessary to ensure that the issues are properly framed and argued to this Court. In addition, Mr. Schnapper is required to devote substantial time to his teaching responsibilities until December 4, when the autumn term ends at the University of Washington School of Law.

Wherefore petitioners respectfully request that an order be entered extending their time to petition for certiorari to and including January 11, 2020.

Respectfully submitted,



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Counsel for Petitioners

November 6, 2019

¹A list of the parties seeking the extension of time is set out in the attached Appendix.

Appendix
Parties Seeking Extension

Stuart Force, individually and as Administrator on behalf of the Estate of Taylor Force

Robbi Force

Kristin Ann Force

Abraham Ron Fraenkel, individually and as Administrator on behalf of the Estate of Yaakov Naftali Fraenkel, and as the natural and legal guardian of minor plaintiffs A.H.H.F., A.L.F., N.E.F., N.S.F., S.R.F., and T.A.F.

Rachel Devora Sprecher Fraenkel, individually and as Administrator on behalf of the Estate of Yaakov Naftali Fraenkel and as the natural and legal guardian of minor plaintiffs A.H.H.F., A.L.F., N.E.F., N.S.F., S.R.F., and T.A.F.

A.H.H.F.

A.L.F.

N.E.F.

N.S.F.

S.R.F.

Tzvi Amitay Fraenkel

Shmuel Elimelech Braun, individually and as Administrator on behalf of the Estate of Chaya Zissel Braun

Chana Braun, individually and as Administrator on behalf of the Estate of Chaya Zissel Braun

Shimshon Sam Halperin

Sara Halperin

Murray Braun

Esther Braun

Micah Lakin Avni, individually and as Joint Administrator on behalf of the Estate of Richard Lakin

Maya Lakin, individually and as Joint Administrator on behalf of the Estate of Richard Lakin,

Menachem Mendel Rivkin, individually and as the natural and legal guardian of minor plaintiffs S.S.R., M.M.R., R.M.R., and S.Z.R.

Bracha Rivkin, individually and as the natural and legal guardian of minor plaintiffs S.S.R., M.M.R., R.M.R., and S.Z.R.

S.S.R.

M.M.R.

R.M.R.

S.Z.R.