In the Supreme Court of the United States

STUDENTS FOR FAIR ADMISSIONS, INC., Petitioner,

v.

PRESIDENT & FELLOWS OF HARVARD COLLEGE, Respondent.

STUDENTS FOR FAIR ADMISSIONS, INC., Petitioner,

v. UNIVERSITY OF NORTH CAROLINA, et al., *Respondents*.

UNOPPOSED APPLICATION TO EXCEED WORD LIMITS

Adam K. Mortara 125 South Wacker Drive Ste. 300 Chicago, IL 60606 (773) 750-7154

Alan Ruley BELL, DAVIS & PITT, P.A. P.O Box 21029 Winston-Salem, NC 27120 (336) 714-4147 William S. Consovoy *Counsel of Record* Thomas R. McCarthy J. Michael Connolly Bryan Weir Cameron T. Norris James F. Hasson CONSOVOY MCCARTHY PLLC 1600 Wilson Blvd., Ste. 700 Arlington, VA 22209 (703) 243-9423 will@consovoymccarthy.com

Patrick Strawbridge CONSOVOY MCCARTHY PLLC Ten Post Office Square 8th Floor South PMB #706 Boston, MA 02109 (617) 227-0548

February 2, 2022

Attorneys for Petitioner

CORPORATE DISCLOSURE STATEMENT

Per Supreme Court Rule 29.6, Petitioner, Students for Fair Admissions (SFFA), states that it has no parent company or publicly held company with a 10% or greater ownership interest in it.

Per Rules 22 and 33.1(d), Petitioner respectfully requests leave to file a brief on the merits in excess of the word limit, not to exceed 20,000 words, and a reply brief on the merits in excess of the word limit, not to exceed 9,000 words.

 On February 25, 2021, Petitioner filed a petition for writ of certiorari in Students for Fair Admissions v. President and Fellows of Harvard College, No. 20-1199.

2. On November 11, 2021, Petitioner filed a petition for writ of certiorari before judgment in *Students for Fair Admissions v. University of North Carolina et al.*, No. 21-707.

3. On January 24, 2022, the Court granted the two petitions and consolidated the cases.

4. In these consolidated cases, Petitioner intends to file a single brief on the merits and a single reply. Consolidation will prevent needless duplication over the first question presented—which is identical in both cases—and other questions that the cases have in common.

5. The second question presented in each case, however, requires a university-specific review that will not overlap. And the cases arise out of separate trials with separate voluminous records. SFFA's case against Harvard lasted three weeks and SFFA's case against the University of North Carolina lasted nearly two weeks. *See* Pet. 8, *SFFA v. Harvard*, No. 20-1199; Pet. 8, *SFFA v. Univ. of N.C.*, No. 21-707.

6. To adequately address each case, Petitioner respectfully requests leave to file an opening brief not to exceed 20,000 words, and a reply brief not to exceed

1

9,000 words. Notably, these oversized, consolidated briefs would require fewer words than if Petitioner filed two separate opening briefs (26,000 total words) and two separate reply briefs (12,000 total words).

7. Petitioner has conferred with Respondents in both cases. Respondents do not oppose Petitioner's request.

Respectfully submitted,

Adam K. Mortara 125 South Wacker Drive Ste. 300 Chicago, IL 60606 (773) 750-7154

Alan Ruley BELL, DAVIS & PITT, P.A. P.O Box 21029 Winston-Salem, NC 27120 (336) 714-4147 William S. Consovoy *Counsel of Record* Thomas R. McCarthy J. Michael Connolly Bryan Weir Cameron T. Norris James F. Hasson CONSOVOY MCCARTHY PLLC 1600 Wilson Blvd., Ste. 700 Arlington, VA 22209 (703) 243-9423 will@consovoymccarthy.com

Patrick Strawbridge CONSOVOY MCCARTHY PLLC Ten Post Office Square 8th Floor South PMB #706 Boston, MA 02109 (617) 227-0548

February 2, 2022

Attorneys for Petitioner