

1850 North Central Avenue, Suite 1400

PHOENIX, AZ 85004-4568
TELEPHONE: 602-285-5000
FACSIMILE: 844-670-6009
http://www.dickinsonwright.com

BENNETT EVAN COOPER BCooper@dickinsonwright.com 602-285-5044

October 9, 2020

Clerk of the Supreme Court Supreme Court of the United States 1 First Street, NE Washington, D.C. 20543

*Re:* Jack Daniel's Properties, Inc. v. VIP Products LLC, No. 20-365:

Request for Extension of Time for Opposition to Petition for Certiorari

## Dear Sir:

Respondent VIP Products LLC, by its undersigned counsel, requests a thirty-day extension of time to November 18, 2020, to file its response to the Petition for a Writ of Certiorari filed by petitioner Jack Daniel's Properties, Inc. The petition was filed on September 15, 2020, and docketed on September 18, 2020, and VIP Products' response is currently due on October 19, 2020. VIP Products has not previously requested an extension.

VIP Products respectfully submits that good cause exists for its requested extension. As the result of the coronavirus pandemic, its counsel's access to their law offices remains restricted, and counsel and staff are in most cases working remotely; one principal attorney for VIP Products is working remotely from a residence in another state. Among other things, this has precluded counsel from working together and impeded the preparation of VIP Products' response. In addition, counsel has conflicting briefing schedules in several other matters, including appeals pending before the U.S. Court of Appeals for the Ninth Circuit and the Arizona Court of Appeals, as well as extensive remand and dispositive motion practice in fast-moving COVID-19 insurance coverage actions pending in state and federal courts around the country, including in California, Texas, Florida, New Hampshire, and New Jersey. VIP Products' counsel is exercising diligence in the preparation of the response, and this extension is not sought for purposes of delay.

Jack Daniel's Properties, Inc. v. VIP Products LLC No. 20-365 October 9, 2020 Page 2

Respectfully submitted,

Bennett Evan Cooper *Counsel of Record* David G. Bray

David N. Ferrucci
DICKINSON WRIGHT PLLC

1850 N. Central Avenue, Suite 1400

Phoenix, Arizona 85004

Attorneys for Respondent VIP Products LLC

Copy served by email this 9th day of October, 2020, on the following:

Lisa S. Blatt Amy Mason Saharia Matthew B. Nicholson Thomas S. Chapman Williams & Connolly LLP 725 Twelfth Street, NW Washington, D.C. 20005

Theodore H. Davis Jr. Kilpatrick Townsend & Stockton LLP 1100 Peachtree Street NE, Suite 2800 Atlanta, GA 30309

Dennis L. Wilson Kilpatrick Townsend & Stockton LLP 1801 Century Park East, Suite 2300 Los Angeles, CA 90067

Isaac S. Crum Rusing Lopez & Lizardi, PLLC 16427 N. Scottsdale Road, Suite 200 Scottsdale, AZ 85254

TEXAS