

October 28, 2020

Via Electronic Filing and Federal Express

Clerk of the Court
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

Re: *Nancy Massenburg, Petitioner v. Innovative Talent Solutions, Inc. et al., Respondents* | No. 20-407

To the Clerk of Court:

We represent Respondent, Innovative Talent Solutions, Inc. (“ITS” or “Respondent”), in the above-described case. The Petition for Certiorari reflects that it was filed July 23, 2020, but was not docketed until September 29, 2020. Although the *pro se* Petitioner filed a Notice of Intent to file a Petition for Certiorari, counsel for Respondent concluded that she had not filed a petition after: (i) the time for such a filing passed, taking into account the extension allowed by the Court’s March 19, 2020 Order; (ii) counsel for Respondent did not receive a copy of the Petition from Petitioner; and (iii) uses of the Docket Search function of the United States Supreme Court website through August 31, 2020 did not reflect that a Petition had been filed and docketed by Petitioner. On October 2, 2020, counsel for Respondent first learned of the existence of the Petition, when the Remark from the United States Supreme Court notifying the Court of the Petition was docketed and the parties received the Notice of Electronic Filing from the Clerk of the United States Court of Appeals for the Fourth Circuit.

Respondent's brief in opposition to the Petition for Writ of Certiorari is due on or before October 29, 2020. Pursuant to Rule 30.4 of the Rules of the Supreme Court of the United States, we request a thirty (30) day extension of time to file a brief in opposition to the Petition for Writ of Certiorari. Because the end of the thirty-day period would fall on Saturday, November 28, 2020, during the Thanksgiving holiday weekend, the Respondent respectfully requests that the due date be set as Monday, November 30, 2020.

I am assisting as counsel of record in this case until counsel of the Firm who represented Innovative Talent Solutions, Inc. in the District Court and at the Fourth Circuit Court of Appeals, Katie Weaver Hartzog and Katherine Barber-Jones, move for admission to practice before this Court. Katherine Barber-Jones has been working on the brief, but was recently diagnosed with breast cancer and began weekly chemotherapy treatments on October 1, 2020, the day before counsel learned of the Petition, which have delayed her work on the brief and other matters and, in supporting her, increased the workload of the other four attorneys of our Firm.

For these reasons, we respectfully request an extension of time through and including November 30, 2020 to file a brief in opposition to the Petition for Writ of Certiorari. This correspondence has been electronically filed in the online docket for this matter, pursuant to the Guidelines for Submission of Documents to the Supreme Court's Electronic Filing System and the April 17, 2019 Guidance Concerning Clerk's Office Operations, and mailed to *pro se* Petitioner Nancy Massenburg.

Thank you for your attention.

Respectfully submitted,

s/Dan M. Hartzog Jr.

DAN M. HARTZOG JR.

Cc: Nancy Massenburg, Petitioner (*via U.S. Priority Mail*)

No. 20-407

Nancy Massenburg, Petitioner, v. Innovative Talent Solutions, Inc. et al., Respondents

AFFIDAVIT OF SERVICE

I, Dan Hartzog Jr., of lawful age, being duly sworn, upon my oath state that I did, on the 28th day of October, 2020, have a copy of the foregoing correspondence to the Clerk of Court pursuant to Rule 30.4 served upon the parties by U.S. Priority Mail to the following:

Nancy D. Massenburg
Post Office Box 224
Blairs, Virginia 24527
Petitioner

This the 28th day of October, 2020.

s/ Dan M. Hartzog Jr.

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