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November 25, 2020

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The Honorable Scott Harris  
Clerk of the Court  
Supreme Court of the United States  
1 First Street, N.E.  
Washington, D.C. 20543

Re: *Chad F. Wolf, et al. v. Cook County, Illinois, et al.*, No. 20-450

Dear Mr. Harris:

The petition for a writ of certiorari in the above-captioned case was filed on October 7, 2020, and the response is currently due on December 9, 2020.

Pursuant to Rule 30.4 of the Rules of this Court, Respondents Cook County, Illinois and Illinois Coalition for Immigrant and Refugee Rights (“ICIRR”) respectfully request a 30-day extension of time, to and including January 9, 2020, within which to file their response. This is Respondents’ second request for an extension.

Respondents request an additional 30 days to give both Cook County and ICIRR sufficient time to deliberate, review the petition, and draft their response given the recent presidential election and its impact on this litigation. Specifically, the incoming presidential administration has publicly stated that it will reverse the Public Charge Rule at issue in this litigation within its first 100 days. *See The Biden Plan for Securing Our Values as a Nation of Immigrants*, [joebiden.com/immigration/](https://joebiden.com/immigration/) (last visited Nov. 24, 2020). Now that the administrator of the General Services Administration has formally designated the President-elect as the apparent winner of the presidential election,<sup>1</sup> Respondents require additional time to consider the effects that this significant development will have on their response to the petition. Respondent Cook County’s deliberation process will require, for example, further consultation with its agencies and officials, as well as several layers of review. Respondent ICIRR also requires additional time to consult with its numerous member organizations.

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<sup>1</sup> See Michael D. Shear, et al., *Trump Administration Approves Start of Formal Transition to Biden*, N.Y. TIMES (Nov. 23, 2020), [nytimes.com/2020/11/23/us/politics/trump-transition-biden.html](https://www.nytimes.com/2020/11/23/us/politics/trump-transition-biden.html) (last visited Nov. 24, 2020).

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Moreover, subsequent to this Court granting Respondents' prior extension request, the district court granted ICIRR and Cook County's summary judgment motion and entered final judgment vacating the Final Rule pursuant to Federal Rule of Civil Procedure 54(b). Respondents request additional time to consider and address the effect of that final judgment on the pending petition related to the previously-issued preliminary injunction.

In addition to the need for deliberation and further review, the undersigned counsel have a variety of obligations before various courts that would make it difficult to prepare responses to the petition by the current deadline. Lead counsel for Cook County, David Morrison, recently completed a five-day arbitration and has a two-day trial scheduled on December 17-18, 2020 in *Sustainable Income, LLC v. Increase Beverage International, Inc. et al.* No. 19-FJ-2 (Circuit Court of Manitowoc County, Wisconsin). Lead counsel for ICIRR, Tacy Flint, is responsible for filing a brief at the Illinois Supreme Court in *Palos Community Hospital v. Humana Insurance Co.*, No. 126008, due December 23, 2020. In addition, counsel for Respondent ICIRR require additional time to respond to the petition because they are in the midst of discovery on ICIRR's pending equal protection claim. ICIRR has several upcoming deadlines related to that claim, including a joint status report and an upcoming status conference in the district court on December 1, 2020.

Counsel for petitioners have indicated that they oppose the further extension of time for the reasons provided in their November 20, 2020 response to a similar request in *Department of Homeland Security v. New York*, No. 20-449. But consideration of the petition at a later time will not prejudice petitioners, as the Court already has stayed the preliminary injunction that is the subject of petitioners' appeal. *See Wolf v. Cook County*, 140 S. Ct. 681, 681 (2020). Moreover, the Seventh Circuit has stayed the district court's final judgment in this matter pending resolution of petitioners' appeal, as well as suspended briefing on that appeal pending resolution of the petition before this Court. *See Cook County v. Wolf*, No. 20-3150 (7th Cir. Nov. 19, 2020). The requested extension will not affect either stay.

Thank you for your consideration of this request.

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Respectfully submitted,

/s/ David E. Morrison

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/s/ Tacy F. Flint

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