

December 9, 2022

BY FEDEX AND ELECTRONIC SUBMISSION

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

Re: *Abitron Austria GmbH, et al. v. Hetronic International, Inc.*, No. 21-1043

Dear Mr. Harris:

I write to request the Court's permission to defer submission of the joint appendix in the above-captioned case under Rule 26.4. Consistent with that Rule, the parties will submit the joint appendix on or before January 18, 2023, the same day respondent's brief is due to be filed. To avoid delay in the Court's consideration of the case, the parties have agreed to submit their principal briefs in compliance with Rule 33.1 and in accordance with the Court's current briefing schedule. The parties' principal briefs will include citations to the joint appendix, so as to avoid any need to resubmit briefs with corrected record citations. Respondent's counsel has indicated that respondent supports this request.

The parties believe that deferring submission of the joint appendix will aid the Court's consideration of this case. The case record is voluminous; the appeal followed an 11-day jury trial, and the court of appeals appendices spanned 22 volumes. By deferring the submission of the joint appendix until respondent has submitted its principal brief, the parties will be better able to identify, and limit the joint appendix to, those materials most helpful to the Court.

I hope the Court will consider granting this request. Please let me know if you have any questions or concerns.

Sincerely,



Jeffrey A. Lamken  
*Counsel for Petitioners*

cc: Counsel of Record