

No. A-\_\_\_\_\_

**In the Supreme Court of the United States**

Erica Talasek,  
*Petitioner,*

v.

National Oilwell Varco, L.P.  
*Respondent.*

**Application for an Extension of Time to File a Petition for a  
Writ of Certiorari to the U.S. Court of Appeals for the Fifth Circuit**

To the Honorable Samuel A. Alito, Jr., Associate Justice of the United States and  
Circuit Justice for the Fifth Circuit:

Pursuant to Rule 13.5 of this Court, Erica Talasek respectfully requests a 30-day  
extension of time, to and including March 16, 2022, in which to file a petition for a  
writ of certiorari in this Court. The Court has jurisdiction under 28 U.S.C. § 1254(1).

The Court of Appeals denied panel rehearing and rehearing en banc on  
November 16, 2021, so Ms. Talasek's time to file a petition for a writ of certiorari  
currently expires on February 14, 2022. Copies of the Court of Appeals' opinion and  
its order denying rehearing are attached.

1. The issue in this case is whether the beneficiary of an employee benefits plan  
may bring an equitable estoppel claim under ERISA based on misrepresentations at  
variance with the terms of the plan. The circuits are divided on this question, which  
arises frequently because ERISA preempts the state law that would otherwise  
govern.

2. Good cause exists for an extension of time to prepare a certiorari petition in this case. Undersigned counsel of record was not involved in the case in the lower courts. The case has a lengthy record. Counsel needs time to familiarize himself with the full record and to conduct the research necessary for the preparation of the certiorari petition.

For these reasons, we request a 30-day extension of time, to and including March 16, 2022, in which to file a petition for a writ of certiorari.

Respectfully submitted,



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