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## LATHAM & WATKINS LLP

May 20, 2022

Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
One First Street, NE  
Washington, DC 20543

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Re: *Jacobus Pharmaceutical Company, Inc. v. Catalyst Pharmaceuticals, Inc., et al.*, No. 21-1342

Dear Mr. Harris:

I represent respondent Catalyst Pharmaceuticals, Inc. (“Catalyst”) in the above-captioned matter. Pursuant to Supreme Court Rule 30.4, Catalyst respectfully requests a 14-day extension of time in which to file a response to the pending petition for writ of certiorari. On May 5, 2022, the Court granted the Government’s request for an extension of time to file a response, and extended the time for all respondents to June 10, 2022. If extended, Catalyst’s response would be due 14 days after the Government’s response, up to and including June 24, 2022.

In the proceedings below, Catalyst sued the United States Food and Drug Administration (“FDA”), and petitioner Jacobus Pharmaceutical Company (“Jacobus”) intervened as a defendant in support of FDA. Throughout the district court and Eleventh Circuit proceedings, Jacobus and the Government were aligned. Following the Eleventh Circuit’s decision, only Jacobus filed a petition for certiorari. Accordingly, the Government is deemed a respondent pursuant to Supreme Court Rule 12.6.

The extension is necessary to allow Catalyst an opportunity to address the Government’s response to the petition, which may not wholly align with Catalyst’s own response. Jacobus does not oppose this request.

Should you need any additional information, please do not hesitate to let me know.

Respectfully,



Philip J. Perry  
of LATHAM & WATKINS LLP

*Counsel for Respondent  
Catalyst Pharmaceuticals, Inc.*

