

No. 21-1429

IN THE  
SUPREME COURT OF THE UNITED STATES

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ZHANG JINGRONG, ZHOU YANHUA, ZHANG PENG, ZHANG CUIPING, WEI  
MIN, LO KITSUEN, CAO LIJUN, HU YANG, GUO XIAOFANG, GAO JINYING,  
CUI LINA, XU TING, BIAN HEXIANG,

*Petitioners,*

v.

CHINESE ANTI-CULT WORLD ALLIANCE INC., MICHAEL CHU, LI HAUHONG,  
WAN HONGJUAN, ZHU ZIROU,

*Respondents.*

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On Petition for a Writ of Certiorari to the United States Court of  
Appeals for the Second Circuit

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**APPLICATION FOR EXTENSION  
OF TIME TO FILE OPPOSITION TO  
PETITION FOR WRIT OF CERTIORARI**

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**APPLICATION FOR EXTENSION  
OF TIME TO FILE OPPOSITION TO PETITION  
FOR WRIT OF CERTIORARI**

To the Clerk of the Supreme Court:

This is an application for a 30-day extension of time -- up to and including July 11, 2022 -- for Respondents Chinese Anti-Cult World Alliance Inc., Michael Chu, Li Huahong, Wang Hauhong, Wan Hongjuan and Zhu Zirou (collectively, “Respondents”) to file their opposition to Petitioners’ petition for writ of certiorari (the “Petition”). The Petition seeks to have this Court grant a writ of certiorari to review the Second Circuit’s decision in *Zhang Jingrong v. Chinese Anti-Cult World Alliance, Inc.*, 16 F.4th 47 (2d Cir. 2021).

In support of this application, Respondents state as follows:

1. Without the requested extension, Respondents’ opposition to the Petition would be due on June 9, 2022.
2. This application is filed 10 days before the deadline for filing Respondents’ opposition to the Petition absent the requested extension.
3. Counsel for the Respondents have conferred with counsel for the Petitioners regarding the requested 30-day extension, and counsel for the Petitioners have no objection to the requested extension.
4. There are several reasons why the requested extension is warranted. First, lead counsel for Respondents Tom M. Fini has several deadlines in other actions which would make it difficult, if not impossible, for him to adequately prepare a brief in opposition under the current June 9, 2022 due date. For example:
  - There is a June 3, 2022 deadline for Mr. Fini to file a motion to dismiss on behalf of the defendants in an action pending in New York State

Supreme Court, captioned *GlobalX, Inc. v. Hogwarts Capital, LLC*, Index No. 654558/2021 (N.Y. Sup. Ct. N.Y. Cnty.); and

- There is a June 30, 2022 deadline for submission of all pre-trial materials in an action pending in New York State Family Court in which Mr. Fini represents the petitioner (*Rachel Filsoof v. Andrew J. Cole*, Docket No. O-02299-22 (N.Y. Fam. Ct. N.Y. Cnty.)).

5. In light of the above deadlines, it would be difficult, if not impossible, for Mr. Fini to adequately prepare Respondents' brief in opposition to the Petition under the current deadline.

6. Second, the requested extension will allow Respondents time to respond to the yet-to-be-filed amicus briefs in this proceeding. Respondents have been advised that at least 4 other parties will be filing amicus briefs in connection with the Petition. Specifically, those parties are as follows: (1) The Becket Fund for Religious Liberty, (2) the State of West Virginia, (3) First Liberty Institute and (4) the Yale Free Exercise Clinic. Because Respondents need time to review those submissions and prepare responses to the amicus briefs, it is respectfully submitted that the requested 30-day extension is warranted for this reason as well.

7. Third, the Petition raises complex issues that require additional time for Respondent to respond to. This case involves an interpretation of a statute, namely, the Freedom of Access to Clinic Entrances Act (FACEA), 18 U.S.C. § 248(a)(2), including the definition of the phrase "place of religious worship" under that statute. In addition, as the concurring opinion below explains, the subsection at issue exceeds the Commerce Clause power and is unconstitutional, which is another reason the outcome below was correct (see *Zhang Jingrong v. Chinese Anti-Cult World Alliance, Inc.*, 16 F.4th 47, 63 (2d Cir. 2021) ("I therefore would reach

and sustain the Commerce Clause challenge to the religious exercise provision of FACEA, 18 U.S.C. § 248(a)(2)").

8. In light of the above, Respondents respectfully submit that the time for Respondents to oppose the Petition be extended 30 days such that Respondent's opposition papers be due on or before July 11, 2022.

Respectfully submitted,

/s/ Tom M. Fini

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