

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

INTERNATIONAL ENERGY VENTURES MANAGEMENT, L.L.C.,
Petitioner,

v.

UNITED ENERGY GROUP, LIMITED,
Respondent.

**UNOPPOSED APPLICATION FOR EXTENSION OF TIME TO
FILE PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT**

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TO THE HONORABLE SAMUEL A. ALITO, JR., CIRCUIT JUSTICE:

Pursuant to Rule 13.5 of the Rules of this Court, Applicant International Energy Ventures Management, L.L.C. prays for a 59-day extension of time to file its petition for certiorari in this Court to and including March 18, 2022. The Fifth Circuit issued its opinion on May 28, 2021 and denied Applicant's petition for rehearing en banc on October 18, 2021. Applicant's time to petition for certiorari in this Court accordingly expires on January 18, 2022. This application is being filed more than 10 days before that date. Undersigned counsel has conferred with counsel for Respondent United Energy Group, Limited, and Respondent is **unopposed** to the relief requested herein.

Copies of the majority opinion and order denying rehearing are attached hereto. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

As the opinion below shows, this case involves the application of litigation-conduct waiver of arbitration, especially the particulars of its application and appellate review of decisions regarding whether or not litigation conduct waived the right to arbitration. Applicant is still determining whether a petition for certiorari will be meritorious and

worthwhile. Counsel is also considering the relevance of this Court's decision to grant the petition for certiorari in *Morgan v. Sundance, Inc.*, No. 21-328, which presents the related issue of the proper test for litigation conduct waiver in arbitration, to this matter.

Applicant requests this extension for good cause and not for delay. Counsel for Petitioners have been working to comply with concurrent court deadlines and briefing requirements in other matters, including but not limited to:

- *Strike, LLC v. FVL, Ltd.*, Cause No. 01-21-00276; in the Texas First District Court of Appeals (Reply Brief due December 8, 2021);
- *In re Zach Brown*, Cause No. 20-0992; in the Supreme Court of Texas (Brief on the Merits due December 8, 2021);
- *Wal-Mart Stores, Inc. v. Xerox State & Local Solutions*, Cause No. 20-0980, in the Supreme Court of Texas (Brief on the Merits due December 9, 2021 and reply brief due February 12, 2022);
- *Miniex v. Houston Housing Authority, et al.*, Cause No. 21-20435; in the United States Court of Appeals for the Fifth Circuit (Appellant's Brief due December 14, 2021);
- *In re Employee Funding of America, LLC*, Cause No. 13-21-00420-CV; in the 13th Court of Appeals of Texas (Reply in Support of Mandamus due December 27, 2021);
- *Matthew Smith v. Microvast, Inc.; et. Al*, Cause No. 2018-07693; in the 234th Judicial District Court of Harris County,

Texas (Preparation for and participation in Trial beginning January 10, 2022);

- *SandRidge Energy, Inc. v. John Barfield, et al.*, Cause No. 20-0369; in the Supreme Court of Texas (Preparation for oral argument on January 11, 2022);
- *Ralph Lewis v. Power Research*, Cause No. 21-494 (preparation to file reply brief in support of Petition for certiorari, which will be due after January 27, 2022);
- *Versaggi v. KLS Martin*, Case No. No. 21-20547 (Appellant's Brief due February 7, 2021);
- *Matthew Smith v. Microvast, Inc.*; Cause No. 2018-07693; In the 234th Judicial District Court of Harris County, Texas (Preparation for and participation in Trial beginning on January 11, 2022);
- *Karki v. TB Thrive CRP, LP, et al.*, Cause No. DC-19-17201; in the 134th Judicial District Court of Dallas County, Texas (Preparation for and participation in trial beginning on January 18, 2022);
- *Herrador v. Phillips & Phillips Transportation, LLC*, Cause No. 2016-16460; in the 127th Judicial District of Harris County, Texas (Preparation for participation in trial beginning on January 18, 2022);
- *Sarah Gregory and New Prime, Inc. v. Jaswinder Chohan, et al.*, Cause No. 21-0017; in the Supreme Court of Texas (Brief on the Merits due January 19, 2022); and
- *Rodriguez v. McMullen, et al.*, Cause No. 21-40593; in the United States Court of Appeals for the Fifth Circuit (Appellant's Brief due January 21, 2022).

For all of these reasons, Applicant requests an order to be entered extending the time to file a petition for certiorari to and including March 18, 2022.

Respectfully submitted,

/s/ Raffi Melkonian

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CERTIFICATE OF SERVICE

I, Raffi Melkonian, a member of the Bar of this Court, hereby certify that on the 7th day of January, 2022, a copy of this Application for Extension for Time to File a Petition for Writ of Certiorari in the above-entitled case was mailed, first class postage prepaid, to Michael Bennett, CULHANE MEADOWS PLLC, c/o National Litigation Support Center, 13101 Preston Rd., Ste. 110-1510, Dallas, Texas 75240, counsel for the respondent herein. I further certify that all parties required to be served have been served.

/s/ Raffi Melkonian

Raffi Melkonian