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

Re: *Flagstar Bank, FSB v. William Kivett, et al.*
S. Ct. No. 22-349
Motion for Extension of Time to File Response (S. Ct. R. 30.4)

Dear Mr. Harris:

Respondents' opposition to the petition for a writ of certiorari in this case is currently due by **December 13, 2022**. This deadline reflects one 15-day extension of time.

As counsel of record for respondents, I respectfully seek, under Supreme Court Rule 30.4, a second 15-day extension until **December 28, 2022**, to file our response. This is due to unanticipated matters since the first extension was sought, and the need to address arguments made in a recent *amicus curiae* brief (filed the day before Thanksgiving).

Although a 30-day extension to respond is routinely granted, especially where *amici* have appeared, petitioner Flagstar Bank, FSB has advised that it opposes this request. Apart from common courtesy and practice, Flagstar has not identified any relevant reason to deny the customary extension that respondents seek. Preference to litigate on a faster schedule is not prejudice warranting expedited treatment. In rare cases where an extension to respond was denied, there were exigent circumstances not present here. *See, e.g., National Pork Producers v. Ross*, No. 21-468 (limiting extension where new law being challenged was nearing effective date).

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

/s/ Steve W. Berman

STEVE W. BERMAN
Counsel of Record for Respondents

cc: See Attached Service List