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January 5, 2023

By Electronic Filing

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

Re: *Ohio v. CSX Transportation, Inc.*, No. 22-459

Dear Mr. Harris:

The petition for a writ of certiorari in the above-captioned case was filed on November 10, 2022 and placed on the docket on November 15, 2022. On December 5, 2022, the Court granted an extension of the time for time file the response, which is currently due on January 17, 2023.

Respondent CSX Transportation, Inc. respectfully requests a second 30-day extension of time to file its response. The requested extension would extend the due date to February 16, 2023. This extension is requested due to counsel's recent illness and ongoing recovery from Covid-19. Considering the press of other matters, an extension is needed to adequately prepare the response. Counsel has conferred with counsel for the State of Ohio, who explained that petitioner takes no position on this request.

Sincerely,

/s/ Andrew Tauber

Andrew Tauber

cc: Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that on January 5, 2023, an electronic copy of this letter was served on counsel for petitioner listed below:

Benjamin M. Flowers
Ohio Solicitor General
Zachery P. Keller
Deputy Solicitor General
30 E. Broad St., 17th Floor
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/s/ Andrew Tauber

Andrew Tauber