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June 15, 2023

VIA ELECTRONIC FILING

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

Re: Motion to Extend Time to File Brief in Opposition to Petition for Writ
of Certiorari
*Othniel Evans Maragh (Petitioner) v. Roosevelt Island Operating
Corporation, et al. (Respondents)*
Supreme Court No. 22-7610

Dear Mr. Harris:

Melick & Porter, LLP represents the Respondents, Roosevelt Island Operating Corporation, Charlene Indelicato, Claudia McDade, John McManus, Rudolph Rajaballey, Sean Singh, Steven Friedman, Nancy Zee, Muneshwar Jagdharry, and John and Jane Does 1, 2, and 3 (the “Respondents”) in the above-referenced matter. Othniel Evans Maragh (the “Petitioner”) filed a petition for a writ of certiorari on March 16, 2023. The Petitioner’s petition was placed on the Court’s docket on May 22, 2023. According to the online docket and pursuant to Rule 15.3 of the Rules of the Supreme Court of the United States, the Respondents’ brief in opposition to the Petitioner’s petition is due on June 21, 2023. Pursuant to Rules 30.1 and 30.4, the Respondents respectfully request that the time for filing their brief in opposition be extended by sixty (60) days, up to and including August 21, 2023.

This is the Respondents’ first request for an extension of time to file their brief in opposition. Good cause exists for the requested extension. While the Petitioner appealed to the Second Circuit Court of Appeals the District Court’s granting of the Respondents’ motion for summary judgment, the Petitioner’s petition filed with this Court appears to submit for review numerous additional appellate issues, including (1) “whether it is ethical or legal for the Southern District Court of New York’s Judge, Jesse M. Furman, to disregard every shred of evidence presented by the Plaintiff/Appellant;” (2) whether “evidence presented to the Defendant’s counsel at their discovery be blatantly ignored by Judge Furman because it does not substantiate his and the Defendants’ narrative;” (3) whether the Second Circuit erred by “designat[ing] evidence as inadmissible, when it was not deemed inadmissible by the Southern District Court of New York;” (4) whether the

Second Circuit “violated its ordinances and mandates;” and (5) whether the District Court and the Second Circuit should “seal, designate as confidential and protective and blatantly disregard evidence.”

In sum, the Petitioner’s petition contains nuanced and multi-faceted arguments that were not previously asserted and for which the Respondents will need substantial time to prepare substantive responses to. Additionally, Respondents’ counsel has a state court trial scheduled to begin on July 6, 2023, and counsel anticipates the trial will last approximately three weeks. Respondents’ counsel also is preparing for submission to the District Court for the Southern District of New York briefs for filing in other matters which are due in mid-July 2023. No prejudice will result from this requested reasonable extension of time.

Accordingly, the Respondents respectfully request that the time for filing their brief in opposition to the Petitioner’s petition for a writ of certiorari be extended by sixty (60) days, up to and including August 21, 2023.

Thank you for your attention to this matter.

Very truly yours,

/s/ Robert P. Powers

Robert P. Powers
Counsel for Respondents

cc: Othniel Evans Maragh (*via FedEx*)