

IN THE SUPREME COURT OF THE UNITED STATES

No. 22-846

DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT
RURAL HOUSING SERVICE, PETITIONER

v.

REGINALD KIRTZ

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

MOTION FOR LEAVE TO DISPENSE WITH
PREPARATION OF A JOINT APPENDIX

Pursuant to Rule 26.8 of the Rules of this Court, the Solicitor General, on behalf of the petitioner, respectfully seeks leave to dispense with the requirement of a joint appendix in this case. The question presented is whether the court of appeals erred in holding that the civil-liability provisions of the Fair Credit Reporting Act, 15 U.S.C. 1681 et seq., unequivocally and unambiguously waive the sovereign immunity of the United States. The opinions of the lower courts are appended to the petition for a writ of certiorari.

In our view, no other portion of the record merits special attention such as would warrant the preparation and expense of a

joint appendix, and preparation of a joint appendix would not materially assist the Court's consideration of this case.

Counsel for respondent has indicated that he agrees a joint appendix is not necessary.

Respectfully submitted.

ELIZABETH B. PRELOGAR
Solicitor General
Counsel of Record

JUNE 2023