

Gregory G. Garre  
Direct Dial: +1.202.637.2207  
gregory.garre@lw.com

555 Eleventh Street, N.W., Suite 1000  
Washington, D.C. 20004-1304  
Tel: +1.202.637.2200 Fax: +1.202.637.2201  
www.lw.com

**LATHAM & WATKINS** LLP

FIRM / AFFILIATE OFFICES

Austin	Milan
Beijing	Munich
Boston	New York
Brussels	Orange County
Century City	Paris
Chicago	Riyadh
Dubai	San Diego
Düsseldorf	San Francisco
Frankfurt	Seoul
Hamburg	Shanghai
Hong Kong	Silicon Valley
Houston	Singapore
London	Tel Aviv
Los Angeles	Tokyo
Madrid	Washington, D.C.

May 9, 2023

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

Re: *The Ohio State University v. Edward Gonzales, et al.*, No. 22-897  
Response to Respondents' Extension Requests

Dear Mr. Harris:

I am writing on behalf of petitioner The Ohio State University in the above-referenced matter to oppose respondents' requests for an extension of time to respond to the petition for a writ of certiorari. The petition was filed on March 14, 2023, and the response is currently due on June 1, 2023—79 days after the petition was filed. Respondents now seek an additional 30 days for filing the response. Granting that request would push the Court's consideration of the petition past the summer recess.

As explained in the petition, this case should be held pending the Court's disposition in *Ohio State University v. Snyder-Hill*, No. 22-896. Accordingly, for the reasons explained by petitioner in its May 9, 2023 letter filed in *Snyder-Hill*, petitioner opposes respondents' extension requests in this case as well.

As in *Snyder-Hill*, respondents in this case not only waived their response to the petition but waited 31 days before doing so. This Court then promptly called for a response to the petition, due June 1, 2023. That deadline gives respondents 79 days after the petition was filed to respond to the 10-page petition in this case. Counsel for respondents have failed to identify any circumstances warranting a further extension, which would push consideration of this petition to the long Conference.

The petition in this case presents a single legal question common to all respondents: "Whether, or to what extent, a claim under Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1688, accrues after the date on which the alleged injury occurred." Pet. i. Respondents already extensively briefed that issue

before the court of appeals. Respondents do not identify any unusual circumstances that would render it infeasible to file a response by June 1.

Conversely, because this hold petition is likely to be conferenced with the *Snyder-Hill* petition, granting the extension requests in this case may delay consideration of *Snyder-Hill* until the long Conference at the end of the summer recess, and thus unnecessarily delay briefing and argument in the event the Court grants certiorari.

Accordingly, the extension requests should be denied.

Respectfully submitted,



Gregory G. Garre  
LATHAM & WATKINS LLP  
*Counsel of Record for Petitioner*

cc: Rex A. Sharp; Lori A. Bullock  
*Counsel of Record for Respondents*