

IN THE
Supreme Court of the United States

CC/DEVAS (MAURITIUS) LIMITED, ET AL.,
Petitioners,
v.

ANTRIX CORP. LTD., ET AL.,
Respondents.

DEVAS MULTIMEDIA PRIVATE LIMITED,
Petitioner,
v.

ANTRIX CORP. LTD., ET AL.,
Respondents.

On Writ of Certiorari to the United States Court
of Appeals for the Ninth Circuit

RESPONDENT'S MOTION TO MODIFY SUPREME COURT OPINION

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July 2, 2025

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Pursuant to Rule 21 of the Rules of this Court, Respondent Antrix Corporation Ltd. respectfully moves to modify the opinion issued by this Court on June 5, 2025 solely with respect to the following sentence: “The Indian Government finances most of Antrix’s operations and appoints much of its leadership.” *CC/Devas (Mauritius) Ltd. v. Antrix Corp.*, 605 U.S. ____ (2025) (slip op., at 2).

Although the statement is not germane to the specific issue the Court granted certiorari to decide and did in fact decide, Antrix acknowledges that the District Court stated that “[m]ost of Antrix’s commercial activities are financed by the government of India.” Pet. App. 15a. The district court also stated that “[m]uch of Antrix’s leadership is appointed by the government of India.” *Id.*

Before the Ninth Circuit, Antrix vigorously disputed the accuracy and relevance of the District Court’s finding that “[m]ost of Antrix’s commercial activities are financed by the government of India.” Pet. App. 15a. As Antrix explained to the Ninth Circuit, the District Court’s statement that India funds Antrix lacks a factual basis. Opening Br. For Appellant at 29–30, No. 22-35103 (9th Cir. June 13, 2022), ECF No. 13 (citing facts). Antrix meets its expenses from its business income from commercial activities, which exceeds its total expenses. Exhibit to Second Declaration of E. Hellman at 78, 97, No. 2:18–cv–01360 (W.D. Wash. Dec. 21, 2018), ECF No. 24-1.; *see also id.* at 74 (“No assets were received as gift/grant(s) from Government or other authorities.”). Indeed, Antrix has had monetary claims against India before Indian courts. *Id.* at 70. The Ninth Circuit did not reach these arguments because it “relied exclusively on its interpretation of the FSIA’s personal-

jurisdiction provision.” *CC/Devas (Mauritius) Ltd.*, 605 U.S., at ____ (slip op. at 13). But the Ninth Circuit can certainly revisit these points on remand. *Id.*

Antrix appreciates that this Court confined its decision to the question answered by the Ninth Circuit. *Id.* And Antrix therefore recognizes that this Court did not review, let alone bless, the District Court’s statement about Antrix’s financing—an issue that was not germane to the question presented and not a subject of the parties’ briefing to this Court.

The Court’s statement is nonetheless a subject of concern for Antrix because the parties are involved in dispute resolution proceedings in a number of other countries relating to Antrix’s contract with Devas. The nature of Antrix’s relationship with the Government of India is at issue in some of those proceedings. And at least some foreign tribunals may be unfamiliar with this Court’s practice of reviewing discrete questions of law on certiorari. Antrix is therefore concerned that the sentence of this Court’s opinion stating that “[t]he Indian Government finances most of Antrix’s operations” might be misunderstood in those foreign proceedings to be a factual finding of this Court, unless the sentence is modified. *CC/Devas (Mauritius) Ltd.*, 605 U.S., at ____ (slip op. at 2). Antrix therefore respectfully requests the Court to remove this statement from its opinion.

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