

Nos. 23-235, 23-236

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IN THE  
**Supreme Court of the United States**

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U.S. FOOD AND DRUG ADMINISTRATION, ET AL.,  
*Petitioners,*

v.

ALLIANCE FOR HIPPOCRATIC MEDICINE, ET AL.,  
*Respondents.*

and

DANCO LABORATORIES, L.L.C.,  
*Petitioner,*

v.

ALLIANCE FOR HIPPOCRATIC MEDICINE, ET AL.,  
*Respondents.*

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To the Honorable Samuel A. Alito, Justice of the Supreme Court of the United States and Circuit Justice for the Fifth Circuit

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**APPLICATION TO EXCEED WORD LIMITS**

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## **CORPORATE DISCLOSURE STATEMENT**

Pursuant to Rule 29.6, Alliance for Hippocratic Medicine, American Association of Pro-Life Obstetricians & Gynecologists, American College of Pediatricians, and Christian Medical & Dental Associations have no parent corporations, and no publicly held corporation owns 10% or more of the stock of any of them.

To the Honorable Samuel A. Alito, Justice of the Supreme Court of the United States and Circuit Justice for the Fifth Circuit:

Pursuant to Rules 22 and 33.1(d), Respondents respectfully request leave to file their brief on the merits in excess of the word limit, not to exceed 18,000 words.

1. On September 8, 2023, Petitioners filed petitions for a writ of certiorari in two cases—*Food and Drug Administration, et al. v. Alliance for Hippocratic Medicine, et al.*, No. 23-235, and *Danco Laboratories, LLC v. Alliance for Hippocratic Medicine, et al.*, No. 23-236. Those petitions presented some overlapping and some distinct questions.

2. On December 13, 2023, this Court granted both petitions and consolidated the cases for briefing and oral argument.

3. Petitioners in the consolidated cases are represented by separate counsel, and on January 23, 2024, they filed separate briefs on the merits, emphasizing different points and raising different arguments. Respondents intend to file a single merits brief in response. Consolidation will prevent needless duplication in addressing the common questions presented and other issues the cases have in common.

4. To adequately and efficiently address the issues presented in these cases, including the different arguments that each set of Petitioners advances and the additional question that FDA raises, Respondents respectfully request leave to file their consolidated merits brief not to exceed 18,000 words. This consolidated brief would require fewer words than if Respondents filed two separate merits briefs (26,000 total words).

5. Respondents have conferred with Petitioners in both cases, who do not oppose Respondents' request.

6. This Court has previously granted a similar request in *Merrill v. Milligan*, No. 21-1086, and *Merrill v. Caster*, No. 21-1087.

Respectfully submitted,

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