



U.S. Department of Justice

Office of the Solicitor General

Washington, D.C. 20530

February 12, 2024

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: Consumers' Research v. FCC, No. 23-456

Dear Mr. Harris:

The petition for a writ of certiorari in the above-captioned case was filed on October 27, 2023. Responses to the petition are now due, after three extensions, on March 4, 2024. We respectfully request, under Rule 30.4 of the Rules of this Court, a further extension of time to and including April 3, 2024, for all respondents to file responses.

This extension is necessary because the U.S. Court of Appeals for the Fifth Circuit has granted rehearing en banc in a parallel case, Consumers' Research v. FCC, No. 22-60008 (argued Sept. 19, 2023). The Fifth Circuit's decision could affect the resolution of the petition for a writ of certiorari in this case.

Counsel for petitioners and for intervenor-respondents consent to this further extension.

Sincerely,

Elizabeth B. Prelogar
Solicitor General

cc: See Attached Service List

23-0456

CONSUMERS' RESEARCH, ET AL.
FEDERAL COMMUNICATIONS COMMISSION, ET
AL.

CORBIN K. BARTHOLD
TECHFREEDOM
1500 K STREET NW
WASHINGTON, DC 20005
771-200-4997
CBARTHOLD@TECHFREEDOM.ORG

JEFFREY S. BEELAERT
STEIN MITCHELL BEATO & MISSNER LLP
2000 K STREET NW, SUITE 600
WASHINGTON, DC 20006
202-737-7777
JBEEAERT@STEINMITCHELL.COM

MARK S. CHENOWETH
NEW CIVIL LIBERTIES ALLIANCE
1225 19TH ST. NW, SUITE 450
WASHINGTON, DC 20036
202-869-5210
MARK.CHENOWETH@NCLA.LEGAL

R. TRENT MCCOTTER
BOYDEN GRAY & ASSOCIATES
801 17TH STREET, NW
SUITE 350
WASHINGTON, DC 20006
202-706-5488
MCCOTTER@BOYDENGGRAYASSOCIATES.CO
M

MICHAEL DAVID PEPSON
AMERICANS FOR PROSPERITY FOUNDATION
1310 N. COURTHOUSE RD.,
STE. 700
ARLINGTON, VA 22201
571-329-4529
MPEPSON@AFPHQ.ORG