

NO. 23-489

IN THE
Supreme Court of the United States

OFFICE OF THE UNITED STATES TRUSTEE,

Petitioner,

v.

USA SALES, INC., D/B/A STATEWIDE DISTRIBUTORS,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS FOR
THE NINTH CIRCUIT

MEMORANDUM FOR THE RESPONDENT

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RULE 29.6 STATEMENT

USA Sales, Inc. has no parent corporation, and no publicly held company owns 10% or more of its stock.

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MEMORANDUM FOR THE RESPONDENT

This case presents the question of the appropriate remedy for the constitutional violation that this court found in *Siegel v. Fitzgerald*, 142 S. Ct. 1770 (2022). On September 29, 2023, this Court granted the government’s petition for a writ of certiorari in *Office of the United States Trustee v. John Q. Hammons Fall 2006, LLC*, No. 22-1238, to consider the remedy question at issue in this case. Oral arguments were just held in the *John Q.*

Hammons case on January 9, 2024. Accordingly, respondent agrees with the government (Pet.11-12) that the petition in this case should be held pending the decision in *John Q. Hammons* and then disposed of as appropriate in light of that decision.¹

Respectfully submitted,

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¹ Respondent waives any further response to the government's petition unless this Court requests otherwise.