

No. 23A-\_\_\_\_

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

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GRUPO UNIDOS POR EL CANAL, S.A., SACYR, S.A., WEBUILD, S.P.A., JAN DE NUL, N.V.,

*Applicants,*

v.

AUTORIDAD DEL CANAL DE PANAMA,

*Respondent.*

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**APPLICATION FOR AN EXTENSION OF TIME TO FILE A  
PETITION FOR A WRIT OF CERTIORARI TO THE UNITED  
STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

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To the Honorable Clarence Thomas, Associate Justice of the Supreme Court  
and Circuit Justice for the Eleventh Circuit:

1. Pursuant to Supreme Court Rules 13.5, 22, and 30, Applicants Grupo  
Unidos por el Canal, S.A., Sacyr, S.A., Webuild, S.p.A., and Jan de Nul, N.V.  
(collectively “Applicants”)<sup>1</sup> respectfully request a 30-day extension of time, up to and

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<sup>1</sup> Grupo Unidos por el Canal, S.A. is a corporation formed under and governed by the laws of the Republic of Panama. Grupo Unidos por el Canal, S.A. has no parent corporation, and is not publicly held. Grupo Unidos por el Canal, S.A. was incorporated by Sacyr, S.A., Impregilo S.p.A. (now Webuild S.p.A.), and Jan de Nul N.V. (the other three Applicants, who together own 99% of Grupo Unidos por el Canal, S.A.’s stocks) and Constructora Urbana, S.A.

Sacyr, S.A. (SCYR) is a publicly held corporation formed under and governed by the laws of the Kingdom of Spain. Sacyr, S.A., has no parent corporation. Disa Corporación Petrolífera owns more than 10% of Sacyr, S.A.’s shares. Disa Corporación is not publicly held, and no publicly held corporation owns 10% or more of its stock.

Webuild S.p.A. (IMPJY) is a company formed under and governed by the laws of the Italian Republic and listed on the stock exchange market. Webuild S.p.A. is subject to the management and coordination of Salini Costruttori S.p.A., which owns 100% of Salini S.p.A.’s share capital; Salini

including December 18, 2023, to file a petition for a writ of certiorari to the United States Court of Appeals for the Eleventh Circuit, seeking review of that court's decision in *Grupo Unidos por el Canal, S.A., et al. v. Autoridad del Canal de Panama*, 78 F.4th 1252 (11th Cir. 2023). The Eleventh Circuit issued its decision on August 18, 2023. A copy of that order is attached as Appendix A. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1), and the time to file a petition for a writ of certiorari will otherwise expire on November 16, 2023. This Application for Extension of Time is timely because it has been filed on October 20, 2023, more than ten days prior to the date on which the time for filing the petition is to expire.

2. Applicants have good cause for an extension of time. This case involves nuanced and novel questions regarding what constitutes evident partiality under the Federal Arbitration Act. And counsel for Applicants have extensive professional obligations over the coming months. For example, counsel of record has work and personal travel scheduled for October 18–22, October 23–29, November 1–2, November 8–12, November 21–26, November 26–29, and December 7–8, as well as business events scheduled on November 6 and December 14. Counsel of record also has numerous briefing deadlines during the relevant time period, including a

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S.p.A. owns 39.62% of Webuild S.p.A.'s ordinary share capital. Three Italian banks, CDP Equity S.p.A., Intesa Sanpaolo S.p.A., and Unicredit S.p.A. own, respectively, 16.45%, 4.63%, and 4.93% of Webuild S.P.A.'s share capital.

Jan De Nul N.V. is a privately held corporation formed under and governed by the laws of the Kingdom of Belgium, and its parent company is Sofidra, S.A, a privately held corporation formed under and governed by the laws of the Grand Duchy of Luxembourg. No publicly held corporation owns 10% or more of Jan De Nul, N.V.'s or Sofidra, S.A.'s stock.

merits reply brief due November 18 in *Roman Catholic Diocese v. Vullo* (N.Y. No. 2022-00089), a brief in opposition to certiorari due November 29 in *Williams Alaska Petroleum, Inc. v. Alaska* (No. 23-328), and several amicus briefs due in late October. Other members of the legal team likewise have conflicting professional and personal commitments. The issues in this case warrant careful briefing and consideration, which counsels in favor of the requested extension. The quality of the petition would greatly benefit from an extension of time to allow counsel to complete the requisite research and writing.

WHEREFORE, Applicants respectfully request that an order be entered extending the time to file a petition for a writ of certiorari for 30 days, to and including December 18, 2023.

Dated: October 20, 2023

Respectfully submitted,

/s/ Noel J. Francisco  
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