

**In the Supreme Court of the United States**

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ADAM M. GOODMAN, CHAPTER 13 TRUSTEE,

*Applicant,*

v.

DANIEL RICHARD DOLL,

*Respondent.*

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On Petition for a Writ of Certiorari  
to the United States Court of Appeals for the Tenth Circuit

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**APPLICATION FOR A FURTHER EXTENSION OF TIME WITHIN WHICH  
TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT**

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**To: The Honorable Neil M. Gorsuch, Associate Justice of the  
United States Supreme Court and Circuit Justice for the United  
States Court of Appeals for the Tenth Circuit**

Applicant Adam M. Goodman (“Goodman” or “Trustee”) respectfully seeks a further extension of time within which to file a petition for a writ of certiorari to review the judgment of the U.S. Court of Appeals for the Tenth Circuit in this matter. Your Honor previously extended Goodman’s filing deadline from July 26, 2023 to and including August 25, 2023 (a **30-day** extension). Goodman now seeks an extension of time to and including **September 4, 2023** (a **10-day** extension), consistent with the Court’s authority to “extend the time for applying for a writ of certiorari for a period **not exceeding sixty days.**” 28 U.S.C. § 2101(c).

This application is filed on August 15, 2023—ten days before Goodman’s certiorari petition is due (on August 25th). *See* S. Ct. R. 13.5. Copies of the Tenth Circuit’s precedential opinion and later denial of rehearing were included in the Appendix (“App.”) to Goodman’s first time-extension application.

The following “good cause” grounds support this application:

1. As explained in the Trustee’s original time-extension application, this matter concerns proper construction of the user fee enacted by Congress under 28 U.S.C. §586(e)(2) to subsidize the offices of standing trustees: “private individual[s] appointed by the Executive Branch” to be impartial administrators of bankruptcy cases, including cases under Chapter 13 of the Bankruptcy Code. *In re Brookover*, 352 F.3d 1083, 1089–90 (6th Cir. 2003). A Tenth Circuit panel determined that the Bankruptcy Code prohibits trustee collection of this user fee in a Chapter 13 case unless the bankruptcy court confirms a debtor’s plan. *See* App.26-27. This holding gives Chapter 13 trustees a direct, substantial pecuniary interest in the plans they administer contrary to constitutional due process and the Bankruptcy Code, which require trustees to be financially disinterested. This case thus raises the following question of substantial importance that merits Supreme Court review: whether the Bankruptcy Code requires standing trustees to collect user fees in every Chapter 13 case, including those cases in which a debtor’s plan is not confirmed.

2. Since the Trustee filed his first time-extension application, his appellate counsel-of-record, Mahesha P. Subbaraman, has been subject to a bevy of competing professional obligations. These obligations have included: (1) researching, drafting,

and filing a rehearing petition in *In re Evans*, No. 22-35216 (9th Cir.) (petition filed July 26, 2023); (2) preparation and presentation of remarks for CLE panel events on July 27 & 28, 2023; (3) researching, drafting, and filing a motion reply in *In re Baum*, No. 2:23-cv-11140 (E.D. Mich.) (motion reply filed August 10, 2023); and (4) researching, drafting, and filing *pro bono* objections to a magistrate judge report-and-recommendation (on behalf of a Social Security claimant) in *Elizabeth A. W. v. Kijakazi*, No. 0:20-cv-1733 (D. Minn.) (objections filed August 11, 2023).

3. In the coming days before the Trustee's present August 25th certiorari-petition deadline, Mr. Subbaraman is also tasked with the following work:

- Preparation of a *pro bono* Supreme Court certiorari petition for a Social Security claimant in *Dahle v. Kijakazi*, 62 F.4th 424 (8th Cir. 2023) (petition to be filed **Aug. 22, 2023**);
- Preparation of a *pro bono* Supreme Court certiorari petition for Social Security claimants in *Rush v. Kijakazi*, 65 F.4th 114 (4th Cir. 2023) (petition to be filed **Sept. 8, 2023**);
- Preparation of a *pro bono* Sixth Circuit opening merits brief for Social Security claimant Joseph Fortin in *Fortin v. Comm'r of Soc. Sec.*, No. 23-1528 (6th Cir.) (brief presently due **Sept. 11, 2023**)

4. Mr. Subbaraman is a solo practitioner with no partners, associates, or legal support staff. He is representing the Trustee *pro bono*.

5. Based on the above obligations and Mr. Subbaraman's solo-practitioner status, Mr. Subbaraman is unable to prepare an adequate certiorari petition for the Trustee absent the requested further time extension.

6. Given this reality and the ongoing importance of the question raised by his case, the Trustee submits that good cause exists to support a further 10-day extension of the Trustee's deadline to file a certiorari petition.

Trustee Goodman thus respectfully asks the Court to extend his time within which to file a certiorari petition to and including September 4, 2023.

Respectfully submitted,

Dated: August 15, 2023

**SUBBARAMAN PLLC**

By: /s/Mahesha P. Subbaraman  
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