

March 27, 2025

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

Re: *Centerville Clinics Inc., Petitioner v. Jane Doe*, No. 24-727

Dear Mr. Harris:

Pursuant to this Court's Rule 30.4, Centerville Clinics, Inc. (Centerville) respectfully requests a 30-day extension of time within which to petition for rehearing of the Court's March 24, 2025 order denying certiorari. Absent an extension, Centerville's rehearing petition would be due on or before April 18, 2025. *See* S.C.R. 44.1.

April 18, 2025 is also the United States's deadline to petition for a writ of certiorari in *Blumberger v. Tilley*, No. 24A865 (granting Solicitor General's application for a 30-day extension) (Kagan, J.)—*i.e.*, the Ninth Circuit decision that expressly rejected the Third Circuit's decision below. *See Blumberger v. Tilley*, 115 F.4th 1113, 1128 (9th Cir. 2024) ("*Doe v. Centerville Clinics Inc.* . . . illustrates the dangers of eliding th[e] distinction" between the decisions of two executive branch department heads to implement the Public Health Service Act's immunity provision), *petitions for rehearing en banc denied*, No. 22-56032, Dkt. 83 (9th Cir. Dec. 19, 2024).

If, as telegraphed, certiorari is sought in *Blumberger*—which will happen (or not) within the next twenty-five days—Centerville will be able to demonstrate the degree to which the issues overlap and, if the Solicitor General's petition for a writ of certiorari is granted in *Blumberger*, the degree to which this case could be simply granted, vacated, and remanded should the Court uphold *Blumberger*. *Cf. Stutson v. United States*, 516 U.S. 163, 181 (1996) (Scalia, J. dissenting) ("We regularly hold cases that involve the same issue as a case in which certiorari has been granted and plenary review is being conducted in order that . . . they may be 'GVR'd' when the case is decided.").

The extension, if granted, would cause no cognizable prejudice to the United States or Plaintiff. Denying the request, however, would deprive Centerville of the opportunity to prepare its rehearing petition with the benefit of the Solicitor General's views as to,

among other things, the importance of the issues presented here and the degree to which there is a direct conflict between the Third Circuit's reasoning and that of the Ninth Circuit in *Blumberger*.

Plaintiff is opposed to this motion. Undersigned counsel sought the position of the Solicitor General on March 24, 2025 and March 26, 2025, but has not received a response.

For the foregoing reasons, the Court should grant Centerville's request for a thirty-day extension—until and including May 19, 2025—to petition for rehearing in this case.

Respectfully submitted,



Matthew Sidney Freedus

*Counsel of Record for Petitioner
Centerville Clinics Inc.*