



December 20, 2017

The Hon. Scott S. Harris, Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543-0001

Re: No. 16-1140, National Institute of Family and Life Advocates, D/B/A NIFLA, et al. v. Xavier Becerra, Attorney General, et al.

Dear Mr. Harris:

Pursuant to Supreme Court Rule 30.4, Petitioners and Respondents jointly request that the time in which to file their respective briefs on the merits in the above-referenced case be extended for eleven days. The Court granted the petition for writ of certiorari on November 13, 2017. Absent an extension of time, Petitioners' brief on the merits would be due on December 28, 2017 and Respondents' briefs on the merits would be due on January 29, 2018. *See* S. Ct. R. 25.1-2.

Counsel for Petitioners and Counsel for Respondents seek an eleven-day extension of time in which to file their briefs on the merits due to numerous factors, including the weighty constitutional matters at issue and the press of other litigation deadlines. For example, Counsel for Petitioners also represent Petitioners in *Masterpiece Cakeshop, Ltd., et al. v. Colorado Civil Rights Commission, et al.*, No. 16-111, and *Judge Ruth Neely v. Wyoming Commission on Judicial Conduct and Ethics*, No. 17-195; as well as Respondents in *Rims Barber, et al. v. Governor Phil Bryant, et al.*, No. 17-547. Counsel for Respondents have similar conflicts.

Granting Petitioners' and Respondents' joint request for an extension will not prejudice the Court's ability to schedule oral argument in this case. If the Court grants an eleven-day extension, Petitioners' brief on the merits would be due on January 8, 2018, Respondents' briefs on the merits would be due on February 20, 2018, and Petitioners' reply brief would be due on March 22, 2018, or one week prior to the argument date, whichever is earlier. *See* S. Ct. R. 25.1-3. Ample time would still exist for the Court to schedule oral argument in the above-referenced case in either March or April, 2018. If the Court should desire to schedule oral argument in this case during the week of March 19th, 2018, Petitioners would be happy to file their reply brief earlier to meet the seven-day deadline. For these reasons, Petitioners and Respondents jointly request that the time in which to file their briefs on the merits in this matter be extended for eleven days.

Sincerely,

A handwritten signature in blue ink that reads "David A. Cortman". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the name.

David A. Cortman
Counsel for Petitioners

cc: Counsel for Respondents

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