

May 21, 2018

Supreme Court of the United States
United States Supreme Court Clerk
1 First Street NE
Washington, DC 20543

Re: *Aker BioMarine Antarctic AS, et. al. v. Huynh et al.*, No. 17-1411
Motion for Extension of Time to File Response to Petition for Writ of
Certiorari

To the Clerk of the Supreme Court of the United States:

Respondents Nam Huynh, Lin Bui, and Jo-Hanna Read, as guardian *ad litem* for minors HH1, HH2, and HH3 (collectively “Huynh”), request that this Court grant a 30-day extension of time to file their response to Aker BioMarine Antarctic AS (“AKAS”) and Aker BioMarine Antarctic II AS’ (“AKAS II”) petition for a writ of certiorari. The response brief is currently due May 24, 2018. Huynh asks that this Court extend the deadline to file the response brief to Friday, June 22, 2018.

Reasons for Granting Extension

The Court requested a response to AKAS and AKAS II’s petition on April 24, 2018.

1. Since that time, Scott David Smith, the attorney assigned the task of authoring a draft of the brief:

a. Was required to prepare for a testimonial evidentiary hearing set for April 26 in *State v. Rozon*, King Cty. Dist. Ct. No. 7Z1133168.

b. Was required to spend the week of April 30-May 4 preparing for a poly-drug, blood-test DUI trial set to occur May 8-10 in *Seattle v. Narciso*, Seattle Muni. Ct. No. 628343. That case settled on May 4, the Friday prior to trial beginning.

c. Was required to spend May 7-9 preparing to defend against an unanticipated petition for a domestic violence protective order in *Hallett v. Hallett*, King Cty. Sup. Ct. No. 18-2-09302-3 KNT, for a firm’s attorney who had been out of the country. That hearing occurred on May 10 in King County Superior Court.

d. Was required to spend the week of May 14-18 preparing for a May 17 testimonial, evidentiary hearing in a poly-drug, blood-test DUI charge in *Seattle v. Miller*,

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Seattle Muni. Ct. No. 626564. He was also preparing for the trial in that action that was set to begin on May 22. The trial was continued on Seattle's request following the May 17 evidentiary hearing.

e. Has been required to attend in person other miscellaneous hearings in *Redmond v. Castillo*, Redmond Muni. Ct. No. 7Z0948486, *State v. Carver*, King Cty. Dist. Ct. No. 6Z0798904, *State v. Roberts II*, King Cty. Dist. Ct. No. 7Z0231728, *State v. Agosti*, King Cty. Dist. Ct. No. 8Z0395594, and *State v. Worm*, King Cty. Dist. Ct. No. 7Z1283496.

f. Has been reviewing proceedings from a trial in *Gardi v. City of Kent*, King Cty. Sup. Ct. No. 16-2-05566-4 KNT, to prepare the record for an appeal from the verdict in the Washington Court of Appeals, No. 78333-5-I. The request for the record is due May 21.

2. This time constraints on Mr. Smith, which are detailed above, made it impossible to prepare a proper response to fully apprise the Court of why it should deny a writ of certiorari here. He has been able to continue or otherwise resolve all future conflicts to ensure proper time for filing a response brief by June 22, 2018.

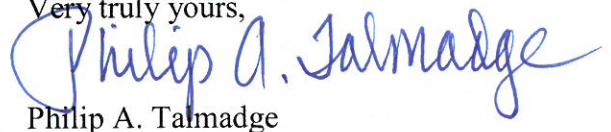
3. I am the counsel of record. I have had numerous pending responsibilities that prevented me from preparing the response. I had a Ninth Circuit argument on May 11 and have a Ninth Circuit merits brief due on June 15. I am also preparing for multiple upcoming oral arguments in Washington State appellate courts, set to occur on June 6, 8, and 12.

4. AKAS and AKAS II themselves requested an extension of time to file the petition for a writ of certiorari. They will suffer no prejudice by a brief extension for Huynh to respond.

5. Huynh's counsel, Scott David Smith, contacted AKAS and AKAS II's counsel, Chris Nicoll, by email concerning the requested extension. AKAS and AKAS II's counsel stated by return email that they do not oppose Huynh's request.

For all the foregoing reasons, the time for Huynh to file his brief in response to AKAS and AKAS II's petition should be extended 30 days to June 22, 2018.

Very truly yours,


Philip A. Talmadge

CERTIFICATE OF SERVICE

I, Matt J. Albers, certify that on this 22nd day of May, 2018, I caused all parties requiring service in this matter to be served with a copy of the *Letter to Clerk of the United States Supreme Court* by electronic mail at the addresses listed below:

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