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December 18, 2017

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VIA FEDERAL EXPRESS

Mr. Scott Harris
Clerk
Supreme Court of the United States
One First Street, NE
Washington, D.C. 20543

Re: Request for Extension to Respond to Petition for Certiorari in *Blue Cross Blue Shield of North Carolina v. Jemsek Clinic, P.A., et al.*, No. 17-161

Dear Mr. Harris:

I am counsel of record for Respondents Joseph G. Jemsek, M.D. and Jemsek Clinic, P.A. in the above case.

Under Supreme Court Rule 30(4), I hereby request on behalf of Respondents an extension of time in which to respond to the petition for certiorari filed in this case. Respondents' brief in opposition to certiorari is presently due on December 20, 2017. The Court has already granted two 30-day extensions to respond; I hereby request an additional 45-day extension of time, through and including February 5, 2017, in which to respond in view of what still appears to be the imminent settlement of this dispute.

After a series of negotiations, the parties continue to have an agreement in principle to settle this matter, which will result in Petitioner's withdrawal of its petition for certiorari once we obtain bankruptcy court approval. Although we anticipated that the matter would be fully settled by now, the parties were unable to present a finalized agreement to the United States Bankruptcy Court for the Western District of North Carolina as anticipated due in part to Respondents' inability to attend a scheduled bankruptcy approval hearing in person because of illness. It presently appears that a completed and agreed-to settlement plan will now be presented to that court for final approval at a hearing to be scheduled during the week of January 29, 2018. The requested extension until February 5 is necessary to relieve all parties and the Court from any additional burden in adjudicating this matter, where it continues to appear that the impending settlement approval will result in its dismissal.

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I have consulted with opposing counsel, Christopher Browning of Troutman Sanders LLP, counsel of record for Petitioner, who consents to our request for a 45-day extension to complete the parties' settlement.

I have enclosed a self-addressed stamped envelope and one copy of this letter and its enclosure for file-stamping and return.

Thank you for your kind consideration of my request.

Respectfully submitted,

A handwritten signature in black ink that reads 'William E. Quirk'.

William E. Quirk
Counsel of Record for Respondents

WEQ:ks
Enclosure
Certificate of Service Attached

CERTIFICATE OF SERVICE

I, William E. Quirk, hereby certify that, in compliance with Supreme Court Rule 29(3), I served the following document and its enclosure on counsel for Petitioner and additional counsel for Respondents, as listed below, by United States Postal Service first-class mail, postage prepaid, and email on December 18, 2017:

Respondents' Request for Extension of Time to File Response to Petition for Certiorari.

Parties served:

Christopher G. Browning
Counsel of Record for Petitioner
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Executed December 18, 2017, at Kansas City, Missouri.



William E. Quirk
Counsel of Record for Respondents