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February 5, 2018

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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 today, February 5, 2018. The Court has already granted three extensions to respond; I hereby request an additional 45-day extension of time, through and including March 22, 2018, in which to respond in view of what still appears to be the imminent settlement of this dispute.

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 bankruptcy court approval becomes final. In a hearing this past Friday, February 2, the United States Bankruptcy Court for the Western District of North Carolina expressed its intent to confirm Dr. Jemsek's bankruptcy plan with a few modifications discussed on the record, and thus to approve the parties' settlement. The requested extension until March 22, 2018 should be adequate to obtain final plan confirmation and for that plan to become effective, which will result in the withdrawal of the petition. The requested extension should thus relieve the parties and the Court from any additional burden in adjudicating this matter, where it continues to appear that the petition will be dismissed.

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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 cursive script 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 February 5, 2018.

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

Parties served:

Christopher G. Browning
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Executed February 5, 2018, at Kansas City, Missouri.



William E. Quirk
Counsel of Record for Respondents