

No. 17-340

IN THE
Supreme Court of the United States

NEW PRIME, INC.,

Petitioner,

v.

DOMINIC OLIVEIRA,

Respondent.

On Writ of Certiorari to the
United States Court of Appeals for the First Circuit

**UNOPPOSED APPLICATION TO EXTEND THE
TIME TO FILE REPLY BRIEF ON THE MERITS**

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Counsel for Petitioner New Prime, Inc.

TO THE HONORABLE STEPHEN BREYER, ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE FIRST CIRCUIT:

Pursuant to Rule 30.3, Petitioner New Prime, Inc., respectfully requests a seven-day extension of time in which to file its reply brief on the merits to and including August 24, 2018.

1. On June 8, 2018, Respondent Dominic Oliveira filed a motion requesting a seven-day extension of time to file his response brief in addition to the thirty-day extension previously granted by the Clerk of the Court on March 9, 2018. New Prime consented to the additional extension and, in turn, Oliveira consented to the present application for an equal extension of time for New Prime to file its reply brief. The Clerk of the Court granted Oliveira's motion on June 20, 2018.

2. Oliveira filed his response brief on July 18, 2018. New Prime's reply brief is currently due to be filed on August 17, 2018.

3. The undersigned counsel of record is principally responsible for preparing New Prime's reply brief. Mr. Boutrous has other obligations in this period for which he is lead counsel and principally responsible, including an approximately three-week trial beginning on July 30, 2018, in *Pico Neighborhood Ass'n v. City of Santa Monica*, No. BC616804 (Cal. Super. Ct.); a mediation in *In re Yahoo! Customer Data Security Breach Litigation*, No. 16-MD-02752-LHK (N.D. Cal.), the first day of which is scheduled for August 14, 2018; an opening brief in *Bahamas Surgery Center, LLC v. Kimberly-Clark Corp.*, No. 18-55478 (9th Cir.), due to be filed on August 22, 2018; and a petition for a writ of certiorari in *Kimberly-Clark Corp. v. Davidson*, No. 18A33, due to be filed on September 6, 2018.

4. New Prime's requested seven-day extension of time will not prejudice the Court or the parties, given that oral argument has been set for October 3, 2018.

5. Counsel for Oliveira has no objection to this request.

Respectfully submitted,

/s/ Theodore J. Boutrous Jr.

THEODORE J. BOUTROUS JR.

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Counsel for Petitioner New Prime, Inc.

Date: July 25, 2018

RULE 29.6 STATEMENT

Petitioner New Prime, Inc. has no parent corporation and no publicly held corporation owns ten percent (10%) or more of its stock. New Prime, Inc. is a privately owned company.