

No. _____

In the
Supreme Court of The United States

LESLIE RUTLEDGE, in her official capacity
as Attorney General of the State of Arkansas,
Petitioner,

v.

PHARMACEUTICAL CARE MANAGEMENT ASSOCIATION
Respondent.

**APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION
FOR A WRIT OF CERTIORARI TO THE COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

To the Honorable Neil M. Gorsuch, Associate Justice of the Supreme Court of
the United States and Circuit Justice for the Eighth Circuit:

Pursuant to Supreme Court Rule 13.5, Petitioner Leslie Rutledge, Attorney
General of the State of Arkansas, hereby makes application for an extension of
thirty (30) days within which to file a Petition for a Writ of Certiorari to the Court of
Appeals for the Eighth Circuit. A Petition for a Writ of Certiorari is currently due in
this Court on or before September 6, 2018. This Application is being filed more than
ten days before that date.

The jurisdiction of this Court is invoked under 28 U.S.C. 1254(1).

The judgment sought to be reviewed is *Pharmaceutical Care Management Association v. Leslie Rutledge*, No. 17-1609, issued on June 8, 2018. That opinion interprets the preemptive effects of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1001-1461 and the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, 42 U.S.C. 1395w-101-104. A copy of the opinion is attached.

Good cause exists for granting this application. Petitioner is a constitutional officer of the State of Arkansas and is represented by the Office of the Attorney General of Arkansas. Counsel responsible for drafting a Petition for a Writ of Certiorari did not represent Petitioners before the Court of Appeals for the Eighth Circuit and will require additional time to become familiar with this matter. Further, counsel responsible for drafting a Petition for a Writ of Certiorari was recently named Solicitor General for the State of Arkansas and has primary responsibility for litigating and arguing multiple appellate cases involving the State of Arkansas and its political subdivisions. Currently, counsel responsible for drafting a Petition for a Writ of Certiorari has a response to a Petition for a Writ of Certiorari due on August 9, 2018 and will need additional time in which to complete the Petition for a Writ of Certiorari in this appeal. Those factors justify granting this application for an extension. Petitioners make this request in good faith and believe that the requested extension of time is necessary. Respondent does not object to the granting of this Application for Extension of Time.

Wherefore, Petitioners respectfully request that an order be entered extending the time to file a Petition for a Writ Certiorari to and including October 8, 2018.

Respectfully submitted,

LESLIE RUTLEDGE
Arkansas Attorney General

NICHOLAS J. BRONNI*
Arkansas Solicitor General

/s/ Shawn J. Johnson
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August 1, 2018