



U.S. Department of Justice

Office of the Solicitor General

Washington, D.C. 20530

February 25, 2019

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: Department of Commerce, et. al. v. New York, et al., No. 18-966

Dear Mr. Harris:

The petition for a writ of certiorari before judgment in the above-captioned case was granted on February 15, 2019. The Court has ordered briefing on an expedited schedule, with the government's opening brief due on March 6, 2019.

The parties' designations for the joint appendix number more than four thousand pages. It is not feasible to prepare and print in 6 $\frac{1}{8}$ - by 9 $\frac{1}{4}$ -inch booklet format those materials in this highly expedited timeframe. Accordingly, in lieu of a booklet-format joint appendix, the government respectfully requests leave to provide the Court with the appendix in electronic format on a CD-ROM, and to file ten printed copies of the appendix in bound 8 $\frac{1}{2}$ - by 11-inch format.

Counsel for respondents has informed the government that respondents agree to this proposal.

Sincerely,

Noel J. Francisco
Solicitor General

cc: See Attached Service List

18-0966
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