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**A PROFESSIONAL LAW CORPORATION**

*Committed to the representation of the rights of the individual*

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September 26, 2019

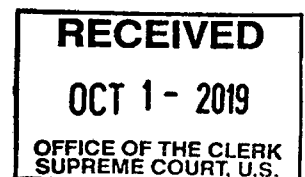
**VIA OVERNIGHT DELIVERY**

Supreme Court of the United States  
ATTN: Office of the Clerk  
1 First Street, N.E.  
Washington, D.C. 20543

**RE: *Our Lady of Guadalupe School v. Agnes Morrissey-Berru*, No. 19-267  
Motion to Extend the Time to File Opposition to Petition for Writ of Certiorari**

Dear Clerk of the Supreme Court of the United States:

Pursuant to Supreme Court Rule 30.4, Respondent Agnes Morrissey-Berru hereby applies for an extension of time of 18 days, up to and including October 18, 2019, for filing a Brief in Opposition to the Petition for Writ of Certiorari. If this requested extension is not granted, then Respondent Morrissey-Berru's deadline for the filing and service of her Brief in Opposition to the Petition for Writ of Certiorari will be this upcoming Monday, September 30, 2019.



In support of this application for an extension of time to file the Brief in Opposition to the Petition for Writ of Certiorari, Respondent submits the following specific reasons that justify granting this request:

- 1. Respondent's Counsel's Applications for Admission to the Bar of the Supreme Court of the United States are still pending and will not be admitted until October 7, 2019.**

Respondent's counsel from JML Law APLC (the law firm that represented Respondent Agnes Morrissey-Berru in the underlying district court case and Ninth Circuit appeal) are currently still pending admission to the Bar of the Supreme Court of the United States.

Counsel requested Certificates of Good Standing from the Supreme Court of the State of California on Monday, September 9, 2019, and received those Certificates by mail on September 17, 2019. On that same day, September 17, 2019, the first of three Bar Applications (for Jennifer A. Lipski, Esq.) was overnighted to the Admissions Office for the Supreme Court of the United States, and received on Wednesday, September 18, 2019; the other two Bar Applications (for Joseph M. Lovretovich, Esq., and Cathryn G. Fund, Esq.) were overnighted to the Admissions Office later that week and received on September 20, 2019.

On September 25, 2019, Ms. Lipski emailed the Admissions Office seeking an update on the status of the three above-referenced Attorney Bar Applications. In response, Perry Thompson from the Attorney Admissions Office responded that

“[a]ll three applicants are approved for admission on 07 October 2019, the next date that an order for admission will be entered by the Court.” Counsel for Respondent therefore will not be admitted to the Bar of the United States Supreme Court until a week after the current filing deadline for the Brief in Opposition to the Petition.

2. **Once admitted to the Supreme Court Bar, Respondent's Counsel's applications to register for the electronic filing system are anticipated to take at least 1-2 business days to be approved.**

Only members of the Supreme Court bar can register for the Supreme Court's electronic filing system. According to the information on the Supreme Court's webpage of frequently-asked questions regarding the Supreme Court's Electronic Filing System, it is expected that it will take 1-2 business days for Respondent's Counsel's applications to register for the electronic filing system to be approved. (See [https://www.supremecourt.gov/filingandrules/faq\\_electronicfiling.aspx](https://www.supremecourt.gov/filingandrules/faq_electronicfiling.aspx).)

3. **The attorney who handled the briefing in the underlying district court case and the briefing and oral argument of the underlying Ninth Circuit appeal recently left Respondent's Counsel's firm.**

Andrew Pletcher was the attorney who briefed and argued the underlying matters in this case, and September 29, 2019 was his last day working for JML Law APLC. Although Mr. Pletcher prepared a draft of an Opposition to the Petition for Writ of Certiorari, other counsel at JML Law APLC now need to review and finalize the Brief in Opposition, and are still reviewing and familiarizing themselves with

the Record on Appeal and the relevant cases cited in the briefs. Therefore, additional time is necessary in order for Respondent's Counsel to adequately review and edit Mr. Pletcher's draft of the Brief in Opposition to the Petition to ensure that it is accurate and complete in order to best aid the Court with determining the appropriate outcome on the Petition for Writ of Certiorari.

4. The amount of time requested for extending the filing and service deadline for the Brief in Opposition to the Petition is only 18 days.

Although a Petitioner has 90 days to prepare, file and serve a Petition for Writ of Certiorari, a Respondent has only 30 days from when the case is placed on the docket to file a Brief in Opposition to the Petition. Despite Petitioner having 90 days to file and serve its Petition, Petitioner requested (and was granted) a 30-day extension of time to file and serve its Petition for Writ of Certiorari. Respondent has only one-third of the time to prepare an Opposition, and is only requesting an extension of 18 days to file her Opposition to the Petition for Writ of Certiorari. Such a brief extension is reasonable and not prejudicial to any party.

Therefore, for the foregoing reasons, Respondent Agnes Morrissey-Berru respectfully requests that the Clerk grant this application for an extension of time (18 days) to and including October 18, 2019, to file and serve her Brief in Opposition to the Petition for Writ of Certiorari, which Brief in Opposition is otherwise due on Monday, September 30, 2019.

*OUR LADY OF GUADALUPE CATHOLIC SCHOOL v. MORRISSEY-BERRU* (No. 19-267)  
Rule 30.4 Motion to Clerk to Extend Time to File Respondent's Opposition to Petition

Dated: September 26, 2019

Respectfully submitted,



JENNIFER A. LIPSKI, ESQ.

*\*Supreme Court Bar Application pending*

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*Counsel for Applicant,*

*Respondent Agnes Morrissey-Berru*

No. 19-267

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IN THE  
**Supreme Court of the United States**

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OUR LADY OF GUADALUPE SCHOOL,

*Petitioner,*

v.

AGNES MORRISSEY-BERRU,

*Respondent.*

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**AFFIDAVIT OF SERVICE**

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I HEREBY CERTIFY that on September 26, 2019, one (1) copy of the APPLICATION FOR EXTENSION OF TIME TO FILE RESPONDENT'S BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI in the above-captioned case was served on all parties required to be served, pursuant to U.S. Supreme Court Rule 29.5(c), on the following, as indicated below:

Served in hard copy by third-party commercial carrier (FedEx) to the following counsel of record for the parties at the addresses indicated below, and also served by electronic transmission to the below email addresses:

ERIC RASSBACH, ESQ.

THE BECKET FUND FOR RELIGIOUS LIBERTY

1200 New Hampshire Ave., NW

Suite 700

Washington, D.C. 20036

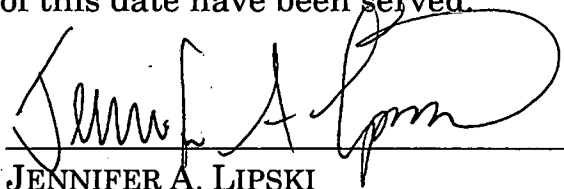
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*Counsel of Record for Petitioner, Our Lady of Guadalupe School*

WILLIAM J. HAUN, ESQ.  
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*Counsel of Record for Amicus Curiae,  
National Catholic Educational Association*

All parties required to be served as of this date have been served.



JENNIFER A. LIPSKI  
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Sworn to and subscribed before me on this 26 day of September 2019.



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 26 day

of September 20, 2019, by Jennifer A.

Lipski, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Claudia Juarez Rocha (Seal)

Name of Officer]: Claudia Juarez Rocha

NOTARY PUBLIC

My commission expires: 10/04/2019

