

IN THE
Supreme Court of the United States

No. 19-508

AMG CAPITAL MANAGEMENT, LLC, ET AL.,
PETITIONERS

v.

FEDERAL TRADE COMMISSION

To the Honorable Elena Kagan, Circuit Justice for the United States Court of Appeals for the Ninth Circuit:

APPLICATION FOR LEAVE TO EXCEED WORD LIMITS

The Federal Trade Commission respectfully requests leave to file its brief on the merits in excess of the word limit set forth in Supreme Court Rule 33.1(g)(vi), not to exceed 15,500 words, with a corresponding increase in the reply brief, not to exceed 7,150 words.

1. On July 9, 2020, the Court granted the petition for certiorari in this case along with the Commission's petition in No. 19-825, *Federal Trade Commission v. Credit Bureau Center, LLC*, presenting substantially the same question. The Court consolidated the two cases and allotted a total of one hour for oral argument.

2. The following month, the Court granted the parties' joint motion to realign the parties and extend the briefing schedule. In accordance with that schedule, the petitioners in *AMG* and the respondents in *Credit Bureau Center* filed their opening briefs on September 25, 2020. Together, the opening briefs totaled 25,216 words on the common issue. Amici filed eight briefs supporting the arguments made in the opening briefs.

3. On November 2, 2020, the Court deconsolidated the cases and vacated the order granting certiorari in *Credit Bureau Center*.

4. To provide the Court with a full presentation of its arguments, the Commission respectfully requests to file in *AMG* a brief on the merits in excess of the Court's ordinary word count, not to exceed 15,500 words. Counsel for *AMG* does not object to the Commission's request for an increased word count.

5. Counsel for AMG has authorized the Commission to respectfully request that, insofar as the Commission is granted additional words for its responsive brief, AMG be afforded a corresponding increase in the number of words for its reply brief, not to exceed 7,150 words. The Commission does not object to that request.

Accordingly, the Commission respectfully requests to adjust the word limits as described above.

Respectfully submitted,

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