

# WILLIAMS MULLEN

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March 23, 2021

Hon. Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
1 First Street, NE  
Washington, DC 20543

Re: Request for extension of time to file response to petition  
*Lenwood Hamilton v. Lester Speight, et al.*  
S. Ct. No. 20-1123

Dear Mr. Harris:

We write on behalf of Respondents in the above-referenced case. Petitioner filed its petition for a writ of certiorari ("Petition") on February 12, 2021. On February 25, 2021 and February 26, 2021, respectively, Respondents filed waivers indicating they were waiving their right to file a response to the Petition. In your March 17, 2021 letter, you requested on behalf of the Court that Respondents file a response.

According to your March 17, 2021 letter and the online docket, a response is currently due on April 16, 2021. Pursuant to Rule 30.4, Respondents respectfully request that the time for filing a response be extended by 30 days, to and including May 16, 2021.

This is Respondents first request for an extension of time to file a response. Good cause exists for the requested extension. Respondent Epic Games, Inc., on the one hand, and respondents Microsoft, Inc., Microsoft Studios, The Coalition, and Lester Speight on the other, each are represented by different counsel, and significant coordination between counsel will be required to prepare a response to the Petition that is most helpful to the Court. Such coordination will require review by multiple attorneys and in-house counsel at both Epic and Microsoft, which will also require additional time to complete. Lastly, access to office for certain counsel for Respondents has been restricted due to COVID-19, which has and will further complicate preparation of a fulsome response. We also note that Petitioner Hamilton made use of the additional sixty days allotted by this Court in its March 19, 2020 order responding to COVID-19 and filed his brief 148 days after judgment was entered in the circuit court. Under these circumstances, the thirty-day extension requested by Respondents is fair and reasonable.

Accordingly, Respondents respectfully request that the time for filing a response to the petition for writ of certiorari be extended by 30 days, to and including May 16, 2021. Counsel for petitioner, Tillman J. Breckenridge, has informed us by email that petitioner does not object to this request.

Sincerely,

/s/ Robert C. Van Arnam

Robert C. Van Arnam  
Counsel for Epic Games, Inc.

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/s/ Elizabeth A. McNamara

Elizabeth A. McNamara  
Counsel for *Lester Speight; Microsoft, Inc.;*  
*Microsoft Studios; The Coalition*

cc: Tillman J. Breckenridge, *Counsel of Record for Petitioner*  
Lawrence S. Ebner, *Counsel of Record for Atlantic Legal Foundation*