

May 14, 2021

File Number: 27HN-224621

Hon. Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, N.E.
Washington, D.C. 20543

Re: *Boff Holding, Inc. v. Houston Mun. Employees Pension Sys.*, No. 20-1364

Dear Mr. Harris:

We represent petitioners in the above-captioned case. I write to oppose respondent's request for a 28-day extension of the time to respond to the petition for a writ of *certiorari* in this case, through and including June 25, 2021.

The requested extension would have the effect of delaying consideration by the Court of the petition in this case past the final scheduled conference of the current Term (June 24, 2021). As a result, the soonest the Court could consider the petition is in fall 2021. Because the district court declined to entertain a stay of the proceedings below unless and until this Court were to grant the petition, the case continues to proceed before the district court. The deadline for fact discovery in this case is September 30, 2021. *See In re Boff Holding, Inc. Sec. Litig.*, Case 3:15-cv-2324-GPC-KSC (S.D. Cal.), ECF 177, at 2. Thus, if respondent's extension were granted, fact discovery will have been completed before the Court will have had the opportunity to consider the threshold pleading issues raised by our petition.

In light of the above circumstances, as well as the lack of detail offered to support respondent's counsel being "heavily engaged with the press of previously assigned matters," we respectfully request that the Court deny respondent's request for an extension that would delay the Court's consideration of the petition past the final conference of the current Term.

Respectfully submitted,



John P. Stigi III
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
SMRH:4814-3938-0713.1

IN THE SUPREME COURT OF THE UNITED STATES

NO. 20-1364

Boff HOLDING, INC., et al.
Petitioners

v.
**HOUSTON MUNICIPAL EMPLOYEES
PENSION SYSTEM**
Respondent.

CERTIFICATE OF SERVICE

I, John P. Stigi III, an attorney for Petitioners Boff HOLDING, INC., et al., hereby certify that on this **14th** day of **May, 2021**, a copy of the foregoing **PETITIONER'S OPPOSITION TO RESPONDENT'S REQUEST FOR EXTENSION OF TIME** was served by email delivery, upon the following counsel:

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I further certify that all parties required to be served have been served.



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