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March 4, 2022

Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, N.E.
Washington, DC 20543-0001

Re: *Dr. A. v. Hochul*, No. 21-1143
Request for extension of time

Dear Mr. Harris:

I write on behalf of all respondents to request an extension of time to oppose the petition for a writ of certiorari in this matter. The current deadline is March 18, 2022, and respondents respectfully seek an extension of thirty days. A thirty-day extension would make the opposition due Monday, April 18, 2022.

The extension is warranted because of the press of other pending matters, including before this Court, that require attention in the same timeframe and to provide an opportunity for respondents to respond to any amicus submissions. Petitioners' counsel has stated that petitioners do not consent to this request.

An extension would not unduly prejudice petitioners. Even under the current briefing schedule, this Court is unlikely to consider or grant this petition in time to hear and decide this case on the merits this Term; and a thirty-day extension would not impair this Court's ability to hear and decide this case in the October 2022 Term, if it were to choose to do so. Moreover, petitioners had the opportunity to obtain an earlier resolution of their petition, but did not to do so. Following the Second Circuit's November 4, 2021, decision, petitioners filed an emergency application for injunctive relief in this Court and then filed a petition for rehearing en banc in the Second Circuit, after obtaining an extension of time to do so. Petitioners waited for this Court's resolution of their emergency

application for injunctive relief rather than promptly filing a petition for a writ of certiorari. In total, petitioners had over three months from the Second Circuit's decision to prepare their petition. A thirty-day extension for respondents is reasonable in light of the time that petitioners took to prepare their submission. In sum, a thirty-day extension of time to oppose the petition for a writ of certiorari is warranted and will not unduly prejudice petitioners.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Barbara D. Underwood".

Barbara D. Underwood
Solicitor General

cc: Thomas L. Brejcha Jr., Esq. (counsel for petitioners)