

No. 21A-____

IN THE
Supreme Court of the United States

JUNO THERAPEUTICS, INC.; SLOAN KETTERING INSTITUTE FOR CANCER RESEARCH,

Applicants,

v.

KITE PHARMA, INC.,

Respondent.

**APPLICATION FOR AN EXTENSION OF TIME TO FILE A
PETITION FOR A WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

To the Honorable John G. Roberts, Jr., Chief Justice of the United States and
Circuit Justice for the United States Court of Appeals for the Federal Circuit:

1. Pursuant to Supreme Court Rules 13.5, 22, and 30, Applicants Juno Therapeutics, Inc. (“Juno”) and Sloan Kettering Institute for Cancer Research (“Sloan Kettering”) (collectively “Applicants”)¹ respectfully request a 60-day extension of time, up to and including June 13, 2022, to file a petition for a writ of certiorari to the U.S. Court of Appeals for the Federal Circuit, seeking review of that court’s decision in *Juno Therapeutics, Inc. v. Kite Pharma, Inc.*, 10 F.4th 1330 (Fed. Cir. 2021). The Federal Circuit issued its decision on August 26, 2021. A copy

¹ Juno is a wholly owned subsidiary of Celgene Corporation. Celgene Corporation is a wholly owned subsidiary of Bristol Myers Squibb Company. Other than the listed entities, no publicly held corporation owns 10% or more of the stock of Juno or its corporate parents. Sloan Kettering does not issue stock and has no corporate parent.

of that order is attached as Appendix A. After obtaining an extension of time, Applicants timely sought rehearing on October 27, 2021. A copy of the order extending time to file a rehearing petition is attached as Appendix B. The Federal Circuit denied the rehearing petition on January 14, 2022. A copy of that order is attached as Appendix C. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1), and the time to file a petition for a writ of certiorari will otherwise expire on April 14, 2022. This Application for Extension of Time is timely because it has been filed on February 25, 2022, more than ten days prior to the date on which the time for filing the petition is to expire.

2. Applicants have good cause for an extension of time. During the current period for preparing a petition, counsel for Applicants have substantial preexisting commitments including:

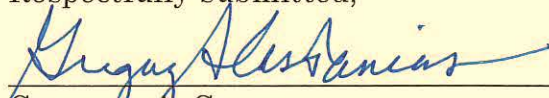
- a. Gregory A. Castanias has, among his other professional obligations, a trial in the United States District Court for the District of Massachusetts (*Rasmussen Instruments, LLC v. DePuy Synthes Products, Inc.*, No. 1:20-cv-11807) that began on February 22, 2022, and is expected to last into the middle of March. Mr. Castanias is also a principal counsel in two cases pending before the U.S. Court of Appeals for the Federal Circuit, *Philip Morris Products S.A. v. U.S. International Trade Commission*, No. 22-1227, and *Teradata Corp. v. SAP SE*, No. 22-1286, with our clients' principal briefs presently due in those cases on May 2, 2022 and May 31, 2022, respectively.

b. Jennifer L. Swize has professional obligations including as co-counsel in *Intel Corp. v. Qualcomm Inc.*, No. 20-2092 (Fed. Cir.), and *Intel Corp. v. Qualcomm Inc.*, No. 22-2239 & No. 20-2240 (Fed. Cir.), which were each argued on February 8, 2022, and pretrial deadlines in *RAI Strategic Holdings, Inc. v. Altria Client Services LLC*, No. 1:20-cv-00393 (E.D. Va.), from January through April 2022 in relation to trial scheduled to begin June 6, 2022.

WHEREFORE, Applicants respectfully request that an order be entered extending the time to file a petition for a writ of certiorari for 60 days, to and including June 13, 2022.

Dated: February 25, 2022

Respectfully submitted,



GREGORY A. CASTANIAS

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