

No. 21-219

---

**In the  
Supreme Court of the United States**

---

**Clear Channel Outdoor, LLC,**  
*Petitioner,*

v.

**Henry J. Raymond, Director,  
Department of Finance of  
Baltimore City,**

*Respondent.*

---

*On Petition for Writ of Certiorari to  
the Court of Appeals of Maryland*

---

**RESPONDENT'S OPPOSITION TO MOTION FOR LEAVE TO FILE  
AMICUS CURIAE BRIEF OF OUT OF HOME ADVERTISING  
ASSOCIATION OF AMERICA**

---

JAMES L. SHEA  
STEVEN J. POTTER  
MICHAEL REDMOND  
*Counsel of Record*  
LYDIE E. GLYNN  
MATTHEW O. BRADFORD  
**Baltimore City Law Department**  
100 N. Holliday Street, Suite 101  
Baltimore, MD 21202  
(410) 396-7536  
michael.redmond@baltimorecity.gov

*Counsel for Respondent*

September 22, 2021

This Court should deny the motion by the Out of Home Advertising Association of America (“OAAA”) for leave to file an *amicus curiae* brief in support of Petitioner because OAAA did not comply with the procedural rules of this Court. As OAAA admits in its motion, “OAAA did not provide Respondent with notice of this brief 10 days before the filing.” OAAA Motion for Leave, p. 3; *see also* OAAA Brief, p. 1 n.1 (“Respondent did not receive timely notice of this filing and has not consented.”). The text of Rule 37.2(a) plainly states that “[a]n *amicus curiae* filing a brief under this subparagraph shall ensure that the counsel of record for all parties receive notice of its intention to file an *amicus curiae* brief at least 10 days prior to the due date for the *amicus curiae* brief.” *Id.* OAAA did not provide such timely notice.

Instead, OAAA informed Respondent of its intention to file the day before *amicus curiae* briefs were due. At that point, Respondent had already drafted its brief in opposition, without the benefit of knowing that OAAA planned to file an *amicus curiae* brief. Respondent informed OAAA that under Rule 37.2(a), notice to all parties was required 10 days before filing, but OAAA insisted that it would file a motion for leave to file such a brief in spite of its violation of this requirement. If this Court’s procedural rules are to be honored, and if parties are to be able to rely on the timelines set forth therein, OAAA’s motion should be denied.

Respondent therefore asks this Court to deny the motion for leave to file an *amicus curiae* brief.

Respectfully submitted,

JAMES L. SHEA  
STEVEN J. POTTER



MICHAEL REDMOND  
*Counsel of Record*

LYDIE E. GLYNN  
MATTHEW O. BRADFORD  
**Baltimore City Law Department**  
100 N. Holliday Street, Suite 101  
Baltimore, MD 21202  
(410) 396-7536  
michael.redmond@baltimorecity.gov

September 22, 2021