

No. 22-1008

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

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CORNER POST, INC.,

*Petitioner,*

*v.*

BOARD OF GOVERNORS OF THE FEDERAL RESERVE  
SYSTEM,

*Respondent.*

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**ON WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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**MOTION FOR LEAVE TO DISPENSE WITH  
PREPARATION OF A JOINT APPENDIX**

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\*\*Admitted in TX only

October 26, 2023

*Counsel for Petitioner*

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In accordance with this Court's Rule 26.8, Petitioner respectfully seeks leave to dispense with the requirement of a joint appendix. Having conferred, counsel for Respondent agrees that a joint appendix is unnecessary.

The Court granted certiorari to consider the following question of law: Does a plaintiff's Administrative Procedure Act claim "first accrue[]" under 28 U.S.C. § 2401(a) when an agency issues a rule, or when the rule first injures a plaintiff? Rule 26.1 provides that the Joint Appendix need not include any items that are already reproduced in the appendix to the petition for writ of certiorari. In this case, that appendix includes the relevant materials from the U.S. Court of Appeals for the Eighth Circuit and the District Court. In Petitioner's view, no other portion of the record merits special attention such as would warrant the preparation and expense of a joint appendix, and preparation of a joint appendix would not materially assist the Court's consideration of the case.

For the foregoing reasons, the motion to dispense with the requirement of a joint appendix should be granted.

Respectfully submitted,

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