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January 2, 2024

*By First-Class Mail
and Electronic Filing*

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

Attn: Denise McNerney, Esq.

Re: *Truck Ins. Exch. v. Kaiser Gypsum Co., Inc., et al.*, No. 22-1079

Dear Mr. Harris:

The petition for a writ of certiorari in the above-captioned case was granted on October 13, 2023. Following short briefing extensions for the parties, petitioner's opening merits brief and joint appendix were filed on December 7, 2023; respondents' merits briefs currently are due January 17, 2024. Undersigned counsel represents respondents Official Committee of Asbestos Personal Injury Claimants and Lawrence Fitzpatrick, in His Capacity as Future Claimants' Representative, and, for the reasons explained below, requests a further short extension of 7 days for all respondents to file their merits briefs, to and including January 24.

The requested extension is necessary because undersigned counsel – who also is counsel of record for respondents in *Macquarie Infrastructure Corp., et al. v. Moab Partners, L.P., et al.*, No. 22-1165 – will be presenting argument in the *Macquarie* case on January 16, 2024, the day before respondents' merits briefs are due in *Truck Insurance*. Counsel for petitioner Truck Insurance Exchange has stated that petitioner does not object to this request. Counsel for respondents Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. have stated that they are in agreement with the request.

Undersigned counsel also recently was informed that argument in *Truck Insurance* will not be scheduled for the February 2024 argument session. Accordingly, granting the 7-day extension for respondents' merits briefs will not have an effect

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on petitioner getting its full time for preparing a reply brief, which, if the requested extension is granted, would be due February 23, more than 20 days before the March 2024 argument session begins.

For the foregoing reasons, counsel for respondents Official Committee of Asbestos Personal Injury Claimants and Lawrence Fitzpatrick, in His Capacity as Future Claimants' Representative, requests a further short extension of 7 days to file their merits brief, to and including January 24, and further requests that the extension apply to all respondents.

If you have any questions, please call me at (202) 326-7951.

Very truly yours,



David C. Frederick
*Counsel of Record for Respondents
Official Committee of Asbestos
Personal Injury Claimants and
Lawrence Fitzpatrick, in His Capacity
as Future Claimants' Representative*

cc: Counsel for Petitioner,
Respondents Kaiser Gypsum Company, Inc.,
Hanson Permanente Cement, Inc., and
Lawrence Fitzpatrick, in His Capacity
as Future Claimants' Representative