

IN THE SUPREME COURT OF THE UNITED STATES

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No. 22-1238

OFFICE OF THE UNITED STATES TRUSTEE, PETITIONER

v.

JOHN Q. HAMMONS FALL 2006, LLC, ET AL.

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

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MOTION FOR LEAVE TO DISPENSE WITH  
PREPARATION OF A JOINT APPENDIX

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Pursuant to Rule 26.8 of this Court, the Solicitor General, on behalf of the Office of the United States Trustee, respectfully seeks leave to dispense with the requirement of a joint appendix in this case. The question presented is whether the appropriate remedy for the bankruptcy uniformity violation that this Court identified in Siegel v. Fitzgerald, 142 S. Ct. 1770 (2022), is to require the United States Trustee to grant retrospective refunds of the increased fees paid by debtors in 88 United States Trustee districts during the period when lower fees were being paid by debtors in 6 Bankruptcy Administrator districts, or is instead

either to deem sufficient the prospective remedy adopted by Congress or to require the collection of additional fees from a much smaller number of debtors in Bankruptcy Administrator districts. The opinions of the court of appeals, this Court's order vacating and remanding a prior decision of the court of appeals, and the bankruptcy court's order denying respondents' motion are appended to the petition for a writ of certiorari. In our 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 this case. We are authorized to state that counsel for respondents agrees that a joint appendix is not necessary.

Respectfully submitted.

ELIZABETH B. PRELOGAR  
Solicitor General  
Counsel of Record

OCTOBER 2023