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November 10, 2022

Filed via EFS

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

Re: *Jump Rope Systems, LLC v. Coulter Ventures, LLC, d/b/a Rogue Fitness*, No. 22-298

Dear Mr. Harris:

I represent the Respondent in the above-captioned case. The Court, on November 4, 2022, requested a response due December 5, 2022. Pursuant to Rule 30.4, I respectfully request a 60-day extension of time, to and including February 3, 2022, in which to file a response. I have substantial personal obligations between now and late December, including that my wife is scheduled to undergo surgery and related medical procedures thereafter, her surgery takes place on November 11, 2022, and additional related procedures are to be scheduled in late November and December. I also have substantial professional obligations between now and the current due date and throughout December, including scheduled depositions and an opposition brief in *Monster Energy Co. v. Coulter Ventures, LLC*, Opp'n No. 91233515 (T.T.A.B.) (Nov. 14, 24, and additional dates in December to be determined), mediation before the district court in *Coulter Ventures, LLC v. Tru Grit Fitness LLC*, No. 22-1005 (S.D. Cal.) (Nov. 16), expert depositions and rebuttal reports in *Stewart v. Obaisi et al.*, No. 19-891 (N.D. Ill.) (Nov. 22, Dec. 7, and additional dates in December to be determined).

In addition, three briefs of *amicus curiae* were recently filed in this case, one on October 27 and two on October 28. Two briefs were filed in support of Petitioner and the third brief was styled as "in support of neither party" but it advocates for granting of the petition. Undersigned counsel respectfully submits that, in view of at least the personal and professional obligations raised above and the intervening holidays, a 60-day extension is reasonable and necessary to fully analyze and respond to the arguments raised in the petition and the three recent *amicus curiae* briefs.

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I have conferred with counsel for Petitioner and have been advised that while Petitioner consents to a 45-day extension of time, Petitioner does not consent to a 60-day extension of time. I attach to this letter a copy of my correspondence with counsel for Petitioner, which includes Petitioner's explanation for its objection to a 60-day extension of time.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis DiSanto". The signature is fluid and cursive, with a large, stylized "D" and "S".

Louis DiSanto
Counsel for Respondent

cc: Counsel of Record

LD:jp
Enclosure

ATTACHMENT

From: Robert Greenspoon <rgreenspoon@dbllawyers.com>
Sent: Wednesday, November 9, 2022 4:23 PM
To: Louis DiSanto
Cc: Brent Newton; Jinming Zhang; Caleb Judge
Subject: Re: [EXT] Jump Rope Systems v. Coulter Ventures (SC Case No. 2022-1624)

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We agreed to a request for an extra 15 days (45 total) out of deference to your situation and the holidays. We sampled some recent petitions with extension requests for the BIO (including with amicus filings) and saw only 30 day requests, none more. Our client would like the petition addressed as soon as possible, and would actually prefer not to agree to any extension past December 5, but we are willing to provide most of the duration you requested as a courtesy.

From: Louis DiSanto <LDiSanto@bannerwitcoff.com>
Date: Wednesday, November 9, 2022 at 4:14 PM
To: Robert Greenspoon <rgreenspoon@dbllawyers.com>
Cc: Brent Newton <bnewton@dbllawyers.com>, Jinming Zhang <jzhang@dbllawyers.com>, Caleb Judge <cjudge@dbllawyers.com>
Subject: RE: [EXT] Jump Rope Systems v. Coulter Ventures (SC Case No. 2022-1624)

Robert,

Please provide Appellant's reason for declining our request for 60 days as we plan to seek such extension on a contested basis.

In addition to the reasons I explained below in support of our request for a 60 day extension to February 5th, I note that JRS had 90 days to prepare its petition and we now have three amicus briefs (which were just filed last week) to consider when preparing our response over the holiday season.

I can discuss at your convenience.

Best,

Louis

LOUIS DISANTO | ATTORNEY

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From: Robert Greenspoon <rgreenspoon@dbllawyers.com>
Sent: Wednesday, November 9, 2022 2:28 PM
To: Louis DiSanto <LDiSanto@bannerwitcoff.com>

Cc: Brent Newton <bnewton@dbllawyers.com>; Jinming Zhang <jzhang@dbllawyers.com>; Caleb Judge <cjudge@dbllawyers.com>

Subject: Re: [EXT] Jump Rope Systems v. Coulter Ventures (SC Case No. 2022-1624)

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Louis,

Thank you for reaching out by phone earlier. My client consents to 45 days to January 19, but respectfully declines consenting to 60 days.

Rob

From: Robert Greenspoon <rgreenspoon@dbllawyers.com>

Date: Wednesday, November 9, 2022 at 10:17 AM

To: Louis DiSanto <LDiSanto@bannerwitcoff.com>

Cc: Brent Newton <bnewton@dbllawyers.com>, Jinming Zhang <jzhang@dbllawyers.com>, Caleb Judge <cjudge@dbllawyers.com>

Subject: Re: [EXT] Jump Rope Systems v. Coulter Ventures (SC Case No. 2022-1624)

Hi Lewis, I hope the surgery is a success. JRS consents to the additional 30 days to January 4.

Best,
Rob

From: Louis DiSanto <LDiSanto@bannerwitcoff.com>

Date: Tuesday, November 8, 2022 at 4:30 PM

To: Robert Greenspoon <rgreenspoon@dbllawyers.com>

Cc: Brent Newton <bnewton@dbllawyers.com>, Jinming Zhang <jzhang@dbllawyers.com>, Caleb Judge <cjudge@dbllawyers.com>

Subject: [EXT] Jump Rope Systems v. Coulter Ventures (SC Case No. 2022-1624)

Robert,

As you know, the Supreme Court requested our response to Appellant's petition. The due date for response is currently December 5th.

Kindly advise if Appellant will consent to an extension of time of 60 days for our response. Among other matters, I have a deposition and court ordered mediation scheduled next week and my wife is having surgery the following week or next. I am not in a position to begin preparing a response until December and I would like an additional 30 days in such regard, which is fairly standard and warranted in view of the intervening holidays.

I can discuss at your convenience if needed.

Thank you.

Best,

Louis

LOUIS DISANTO | ATTORNEY

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