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March 21, 2023

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

RE: Request for extension of briefing deadlines in
Mark Pulsifer v. United States, No. 22-340

Dear Mr. Harris:

I write on behalf of all parties to request an extension of the briefing deadlines in this case. The Court granted the petition for a writ of certiorari on February 27, 2023. I understand that the case is likely to be argued during the Court's October 2023 sitting. Petitioner's opening merits brief is currently due April 13, 2023. On behalf of all parties, we respectfully request, under this Court's Rule 30.4, that Petitioner's time to file his opening brief and any joint appendix be extended to and including May 19, 2023, and that Respondent's time to file its brief be extended to and including July 24, 2023. Under this Court's rules, Petitioner's reply brief would be due 30 days later, which is more than 10 days before the earliest possible argument during the October 2023 sitting.

Counsel seek the proposed extension given the press of preexisting work. Petitioner's counsel must attend to the following deadlines between now and early May:

- March 24, 2023: Opening brief due in *TotalEnergies Renewables USA, LLC, et al. v. Trina Solar (U.S.) Inc., et al.*, No. 22-16763 (9th Cir.);
- March 25, 2023: Petition for a writ of certiorari due in *Verdun, et al. v. City of San Diego, et al.*, No. 22A617 (U.S.);

- March 27, 2023: Supplemental brief due in *The Coca-Cola Co. & Subsidiaries v. Commissioner*, No. 31183-15 (T.C.);
- March 29, 2023: Oral argument in *Polselli, et al. v. IRS*, No. 21-1599 (U.S.);
- April 6, 2023: Response brief due in *American Cruise Lines v. United States, et al.*, No. 22-1029 (2d Cir.);
- April 18, 2023: Supplemental reply brief due in *The Coca-Cola Co. & Subsidiaries v. Commissioner*, No. 31183-15 (T.C.);
- April 21, 2023: Oral argument in *Airlines for America v. City and County of San Francisco*, No. 22-15677 (9th Cir.);
- May 1, 2023: Opening brief due in *Borja, et al. v. Nago, et al.*, No. 22-16742 (9th Cir.);
- May 9, 2023: Oral argument in *Norfolk Southern Railway Co. v. Surface Transportation Board, et al.*, No. 22-1209 (D.C. Cir.);
- Week of May 22, 2023: Oral argument in *Saba Capital CEF Opportunities, et al. v. Nuveen Floating Rate Income Fund, et al.*, No. 22-407 (2d Cir.) (exact day to be set by the Second Circuit); and
- May 26, 2023: Reply brief due in *TBL Licensing LLC v. O'Donnell*, No. 22-1783 (1st Cir.)

Counsel for both parties request these extensions of time.

Respectfully submitted,



Shay Dvoretzky

Counsel for Petitioner Mark Pulsifer

cc: see attached service list

Service List for *Mark Pulsifer v. United States*, No. 22-340

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