

No. _____, Original

In the Supreme Court of the United States

STATE OF IOWA AND STATE OF MONTANA,

Plaintiffs,

v.

STATE OF ARIZONA; STATE OF CALIFORNIA; STATE OF COLORADO; STATE OF
CONNECTICUT; COMMONWEALTH OF MASSACHUSETTS; STATE OF
MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW
MEXICO; STATE OF NEW YORK; STATE OF OREGON; AND STATE OF
WASHINGTON,

Defendants.

On Motion for Leave to File a Bill of Complaint

**MOTION TO EXPEDITE CONSIDERATION OF THE MOTION
FOR LEAVE TO FILE A BILL OF COMPLAINT AND, IF LEAVE
IS GRANTED, CONSIDERATION OF THE COMPLAINT**

Plaintiff States move under Supreme Court Rule 21 for expedited consideration of their contemporaneously filed Motion for Leave to File a Bill of Complaint. Expedited consideration now will alleviate the need for exceedingly hasty action later. Plaintiff States suggest the modest step of requiring a response within 21 days (September 15, 2026), or whatever

shortened window the Court deems appropriate to ensure that the Motion for Leave to File a Bill of Complaint is considered at the Court's October 9, 2026 conference (or, at the latest, the one that follows it).

The facts here warrant the modest acceleration requested. As explained in detail in the Bill of Complaint, California and eleven other States filed suit to enjoin the merger of Paramount and Warner Bros., a merger which Plaintiff States, the United States Department of Justice, and antitrust authorities in 68 other jurisdictions have cleared. Plaintiff States have the same *parens patriae* interests as the twelve states that sued, but cannot intervene in the district court suit because this Court's jurisdiction is both original and exclusive. The trial in the district court is currently scheduled for March 2027.

Mergers do not freeze well. The corporate officers, employees, suppliers, and contractors at Paramount and Warner Bros. are mired in uncertainty. Clear strategy and bold action are impossible when no one knows whether they will work for a combined entity or competitors next year. The district court's late trial setting, which will allow just two months after the trial for post-trial briefing, a ruling, a remedy, and any appeals, is part of the harm this suit seeks to avoid.

Following this Court's ordinary schedule would push out the decision of whether to even take the case too far. Rule 17.5 gives 60 days to respond to a motion for leave. Once all the papers are submitted, the Clerk distributes them within ten days. On that schedule, the earliest conference would be December 4, 2026. But 30-day extensions are regularly requested and may be granted by the Clerk. If such an extension were requested and granted, the conference date would shift to January 8, 2027. The case is not an emergency yet, but the deadline for the merger is June 2027, and there would be little hope of resolving the case by then if a decision on hearing it were made in January. That is especially so if the Court first addresses the threshold question of whether it even has discretion to deny audience on the merits for cases within its original and exclusive jurisdiction.

The Court has granted motions like this one before. In *Missouri v. New York*, the Court ordered New York to respond to a motion for leave to file a bill of complaint within 21 days rather than the ordinary 60 days. See Order, *Missouri v. New York*, No. 159, Orig. (U.S., July 12, 2024).

A September 15, 2026 response date allows full briefing while not allowing the clock to run out. A small adjustment in the Court's

consideration of the case would allow the possibility of resolving it (or, at minimum, setting for argument the first question addressing whether the Court must take state v. state cases). That is worth the tradeoff of requiring somewhat faster briefing. For their part, Plaintiff States have acted with dispatch in preparing and filing this action and the accompanying motions promptly upon seeing the district court's temporary restraining order. It is no great burden to ask Defendant States to file their response on an accelerated timeline.

CONCLUSION

The Court should grant the Motion to Expedite Consideration of the Motion for Leave to File a Bill of Complaint, setting Defendant States' deadline to respond for September 15, 2026, and distributing the case for the October 9, 2026 conference.

Respectfully submitted,

BRENNA BIRD
Iowa Attorney General
ERIC H. WESSAN
Solicitor General
OFFICE OF THE ATTORNEY GENERAL
1305 E. Walnut St.
Des Moines, IA 50319

ASHLEY C. KELLER
Counsel of Record
KELLER POSTMAN LLC
2333 Ponce de Leon Blvd.
Suite R240
Coral Gables, FL 33134
(202) 918-1123
ack@kellerpostman.com

AUSTIN KNUDSEN
Montana Attorney General
CHRISTIAN B. CORRIGAN
Solicitor General
MONTANA DEPARTMENT OF JUSTICE
PO Box 201401
Helena, MT 59620

ADAM K. MORTARA
LAWFAIR LLC
40 Burton Hills Blvd.
Suite 200
Nashville, TN 37215

NOAH HEINZ
PAK HEINZ PLLC
20 F Street NW 7th Fl.
Washington, D.C. 20001

Counsel for Plaintiff States

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