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October 9, 2023

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

Re: *ChromaDex, Inc. et al. v. Elysium Health, Inc.*, No. 23-245

Dear Mr. Harris:

On behalf of petitioners ChromaDex, Inc., et al., I write to respectfully request that the Court reschedule consideration of the above-captioned petition for a writ of certiorari. Currently, the petition is scheduled to be considered at the Court's October 13, 2023 conference. However, the deadline for *amicus curiae* briefs is three days later, on October 16, 2023, and we anticipate that at least one *amicus* brief will be filed in support of the petition. Rescheduling the petition for a future conference would ensure that the Court receives the benefit of that *amicus* briefing.

Specifically, on October 5, 2023, the Association of Amicus Counsel provided notice pursuant to Rule 37.2 of its intention to file an *amicus* brief in support of the petition. A copy of that notice is attached. Based on our discussions with counsel, we understand that the Association is planning on filing its brief on October 16, 2023. Rescheduling the petition for the Court's October 27 conference (or a subsequent conference) would allow the Court to consider the petition together with the Association's *amicus* brief.

Thank you for your consideration and please do not hesitate to contact me at 202-662-5488 should you have questions or need additional information about this request.

Respectfully submitted,

/s/ Kevin F. King

Kevin F. King
Counsel for Petitioners

cc: Donald R. Ware, counsel for Respondent