

IN THE SUPREME COURT OF THE UNITED STATES

No. 24-856

CISCO SYSTEMS, INC., ET AL., PETITIONERS

v.

DOE I, ET AL.

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

MOTION OF THE UNITED STATES
AS AMICUS CURIAE SUPPORTING PETITIONERS
FOR LEAVE TO PARTICIPATE IN AND FOR DIVIDED ORAL ARGUMENT

Pursuant to Rules 21, 28.4, and 28.7 of the Rules of this Court, the Solicitor General, on behalf of the United States as amicus curiae supporting petitioners, respectfully moves that the United States be granted leave to participate in the oral argument in this case, and that the time be allotted as follows: 20 minutes for petitioners, 10 minutes for the United States, and 30 minutes for respondents. Petitioners consent to this motion.

The questions presented in this case is whether aiding-and-abetting claims exist under a judicially created private right of action under the Alien Tort Statute (ATS), 28 U.S.C. 1350, or under

a statutory cause of action in the Torture Victim Protection Act of 1991 (TVPA), Pub. L. No. 102-256, 106 Stat. 73 (28 U.S.C. 1350 note). The United States has a substantial interest in the Court's disposition of those questions. Aiding-and-abetting actions under the ATS pose risks to the United States' foreign relations and to the political branches' ability to implement the Nation's foreign policy. The TVPA's cause of action for torture or extrajudicial killing under color of foreign law also has significant implications for the United States' foreign relations. The proper scope of a TVPA action will also inform the question whether the ATS itself provides an implied right of action to sue aiders and abettors. At the Court's invitation, the United States filed a brief at the petition stage of this case.

The United States has presented oral argument as *amicus curiae* in each of this Court's modern cases concerning the interpretation of the ATS. See, e.g., Nestlé USA, Inc. v. Doe, 593 U.S. 628 (2021); Jesner v. Arab Bank, PLC, 584 U.S. 241 (2018); Kiobel v. Royal Dutch Petroleum Co., 569 U.S. 108 (2013); Sosa v. Alvarez-Machain, 542 U.S. 692 (2004). The United States has also presented oral argument in the only TVPA case decided by this Court. Mohamad v. Palestinian Auth., 566 U.S. 449 (2012). Oral presentation of the views of the United States is therefore likely to be of material assistance to the Court.

Respectfully submitted.

D. JOHN SAUER
Solicitor General
Counsel of Record

MARCH 2026