

April 22, 2025

The Honorable Scott Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, N.E.
Washington, DC 20543

Via the Court's electronic filing system

Re: Unopposed request for extension of time to file a response to the petition
National Basketball Association v. Salazar
S. Ct. No. 24-994

Dear Mr. Harris,

I am counsel for Respondent Michael Salazar in this case. The National Basketball Association ("NBA") filed its Petition for Writ of Certiorari on March 14, 2025, after receiving a sixty-day extension of its own. On March 25, 2025, Mr. Salazar waived his right to respond to the NBA's Petition. On April 2, 2025, however, the Court requested a response. Absent an extension, Mr. Salazar's response is due on May 2, 2025. Pursuant to Rule 30.4, Mr. Salazar respectfully requests that the time for filing a response be extended by sixty days. Accordingly, Mr. Salazar respectfully requests a due date of July 1, 2025. The parties have met and conferred, and the NBA consents to the requested extension.

This request for an extension is Mr. Salazar's first. Good cause exists for the requested extension. On April 3, 2025, the Sixth Circuit rendered a decision in *Salazar v. Paramount Global*, No. 23-5747, another case Mr. Salazar brought against a video tape service provider under the Video Privacy Protection Act (*i.e.*, the same federal statute at issue in this case). There, a divided panel created the circuit split the NBA forecasted in its Petition for Writ of Certiorari. As the panel majority (and the dissent) acknowledged, the Sixth Circuit's decision openly conflicts with decisions from both the Second Circuit and the Seventh Circuit. And Mr. Salazar himself now stands on both sides of that split. On April 15, 2025, Mr. Salazar filed a petition for rehearing en banc. As of today, the Sixth Circuit has not acted on that petition.

The requested extension is necessary to allow the Sixth Circuit to act on Mr. Salazar's petition for rehearing en banc. The Sixth Circuit's resolution of that petition will obviously impact

Mr. Salazar's response to the NBA's pending Petition for Writ of Certiorari, including about the existence of a circuit split. The requested extension is also necessary given counsel's obligations in other cases, which include a merits brief in the Second Circuit that is also due on May 2, 2025, and a Second Circuit oral argument (in a different case) on May 12, 2025. Put simply, the requested extension will better enable the preparation of a response that will be most helpful to the Court in determining whether to grant review. Further, there are no circumstances that necessitate a speedy ruling on the Petition, and the requested extension will not prejudice the NBA. Indeed, as noted above, the NBA consents to the requested sixty-day extension.

Accordingly, Respondent requests a sixty-day extension of time, to and including July 1, 2025, to file its brief in response to the Petition for Writ of Certiorari.

Thank you for your attention to this matter.

Respectfully submitted,
/s/ Joshua I. Hammack
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AFFIDAVIT OF SERVICE

I, Joshua I. Hammack, of lawful age, being duly sworn, upon my oath state that I did, on the 22nd day of April, 2025, file the foregoing letter via the Court's electronic filing system in the above-captioned case. All parties required to be served have been served by Priority Mail. Packages were plainly addressed to the following:

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Executed this 22nd day of April, 2025, in Washington, D.C.

/s/ Joshua I. Hammack
Joshua I. Hammack