

April 15, 2026

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

**Re: *Pharmaceutical Research and Manufacturers of America v. O'Day*,  
No. 25-1018**

Dear Mr. Harris:

I represent Pharmaceutical Research and Manufacturers of America (PhRMA) in the above-captioned case. PhRMA's petition for a writ of certiorari was filed on February 20, 2026, and remains pending before this Court. Respondent filed a waiver of his right to respond on March 16. On March 30, the Court requested a response, which is currently due on April 29.

Yesterday, respondent moved for a 44-day extension of time, which, if granted, would make the brief in opposition due June 12. Despite seeking an extension of more than 30 days, respondent did not ask PhRMA for its position on the request, and PhRMA accordingly submits this letter to state its partial opposition.

Specifically, PhRMA opposes any extension of more than 30 days. An extension of more than 30 days would impede the Court's ability to consider PhRMA's petition in the normal course before it recesses for the summer. In the event that the Court grants a 30-day extension, PhRMA is prepared to waive part of its reply period in order to facilitate the Court's consideration of the petition at its June 25 Conference.

Respondent has not identified any specific need for an extension beyond 30 days, and the circumstances here cut against such a request. Respondent waited 24 days after the petition was filed to file a waiver of the right to respond. As of today, respondent has already had PhRMA's petition for 54 days; and with a 30-day extension, respondent will have had the petition for 98 days. Granting respondent an additional 14 days would unduly

Page 2

delay the Court's consideration of the petition to next Term and would reward respondent's delayed waiver.

Sincerely,



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cc: All counsel of record