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August 14, 2026

Via U.S. Mail

Clerk of the Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

Re: G.W. v. Coronado Unified School District, et al.
Case No.: 25-1419
Our File: GI21697

Dear Sir/Madam:

I write on behalf of Respondents Coronado Unified School District, et al., to respectfully request leave to file a brief in opposition out of time and an extension of thirty days, or such other period as the Court deems appropriate, in the above-captioned matter.

Although the Respondents were served with a Petition for Writ of Certiorari in March of 2026, that filing was returned as unfiled by the Court with a notice to cure and was not docketed. Respondents did not receive notice that the corrected petition had been placed on this Court's docket, did not receive notice of the docket number or the deadline for filing a brief in opposition, and did not receive service of the corrected or revised petition that was ultimately filed and docketed in this matter. Respondents therefore were unaware that time to present a brief in opposition had commenced.

Respondents calendared the June 22, 2026 notice to cure date in counsel's case-management system for purposes of monitoring whether a corrected petition was timely filed. When no corrected petition, notice of filing, docketing notice, or other communication was received by or after that date, counsel affirmatively investigated the status of the matter rather than assuming that proceedings were not continuing.

Counsel's office first checked the email accounts of the attorneys, assistants, and paralegals involved in the matter, including spam and junk folders, for any communication from Petitioners, Petitioners' counsel, a filing or service vendor, or this Court, relating to a corrected

petition or docketing. No such communication was located and no case number was known to Respondent's counsel.

Counsel's assistant then contacted the Clerk's Office seeking information concerning whether a corrected petition had been filed or docketed. Counsel's assistant called and left a message with the Clerk's Office on June 29, 2026, at approximately 11:15 a.m. Pacific Time. Having received no notice that the matter had been docketed, counsel's assistant again called and left a message with the Clerk's Office on July 14, 2026, at approximately 8:40 a.m. Pacific Time. No return call was received. Counsel's office had still not received a corrected petition, docketing notice, case number, response deadline, or other indication that the case had been placed on this Court's docket.

Counsel's understanding that no operative petition had been filed was also reflected in contemporaneous proceedings in the California courts. In briefing submitted to the California Supreme Court, counsel addressed the matter on the understanding that the deadline to correct the Supreme Court petition had passed, that no corrected petition had been filed, and that the related issue before the California Supreme Court was therefore moot. Despite that express position, no party advised Respondents that a corrected petition had in fact been filed or that the matter had been docketed in this Court.

Significantly, Respondents never received the notice required by this Court's Rule 12.3. That Rule provides that, once a petition is placed on the docket, it is the petitioner's duty to promptly notify all respondents, on a form supplied by the Clerk, of the date of filing, the date the case was placed on the docket, and the docket number, and further requires that the notice be served in accordance with Rule 29. Respondents received none of those required items. Had Respondents received the Rule 12.3 notice, counsel would have immediately calendared the response date and timely filed a brief in opposition.

Respondents first discovered that the matter had been docketed only upon receipt, late in the afternoon of August 11, 2026, of Petitioners' opposition to a motion for attorneys' fees in the related California trial court proceeding. That filing identified, for the first time ever received by Respondents' office, the United States Supreme Court case number for this matter. Upon seeing that docket number, counsel immediately investigated and discovered that the revised petition had been placed on this Court's docket and that the time reflected on the docket for filing a brief in opposition had already expired.

Counsel then undertook an additional investigation to determine whether the corrected petition had ever actually been served. Counsel again reviewed the email accounts of all attorneys, assistants, and paralegals involved in the matter and found no electronic service of the corrected petition, no docketing notice, and no notice containing the case number.

Respondents' Counsel's office also contacted the commercial printing and service vendor identified in connection with the corrected petition and proof of service and requested records showing that service had actually been effectuated. Counsel specifically requested any United States Postal Service, UPS, Federal Express, or other tracking information associated with the hard copies purportedly sent to Respondents; copies or records of the mailing labels or stickers used for those hard-copy corrections; and any email transmission, delivery, read, or other receipts reflecting electronic service of the corrected petition.

Despite those requests, the vendor was unable to provide tracking information establishing that any hard copy of the corrected petition or stickers used to correct the petition was delivered to Respondents' counsel. The vendor likewise was unable to provide email receipts or other transmission records establishing that the corrected petition was electronically served on Respondents, indicating an issue with the email service provider.

Counsel then contacted Petitioners' counsel to request copies of any documents showing Petitioners' compliance with Rule 12.3. In response, Petitioners' counsel claimed that the Rule 12.3 notice was sent to Randall Winet on June 25, 2026. No evidence of this was provided, despite specific requests. It is unknown how the Rule 12.3 notice was supposedly sent, however, no record of it being received has been located.

Counsel's investigation has therefore identified no documentary evidence demonstrating that Respondents ever received a copy of the corrected petition that was ultimately docketed, notice that it was docketed, or notice that the time to file a brief in opposition had commenced and a deadline had been set.

Respondents thus had no means of knowing that the thirty-day period contemplated by Rule 15.3 had begun to run. The failure to file a brief in opposition within the period reflected on the docket was therefore not the product of neglect, tactical delay, or lack of diligence, but resulted from Respondents' nonreceipt of both the corrected petition and the docketing notice that the Rules place on Petitioners the duty to provide.

Immediately upon discovering the docket number and confirming the status of the proceeding, counsel began preparing this request and taking the steps necessary to prepare Respondents' brief in opposition.

Respondents respectfully request a reasonable opportunity to prepare and file their brief in opposition now that they have actual notice of the docketed proceeding. An extension of thirty days from the date this request is granted would permit counsel to review the operative petition and record and prepare an appropriate response without prejudice to Petitioners.

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Accordingly, Respondents respectfully request leave to file their brief in opposition out of time and an extension of thirty days from the date the Court grants this request, or until such other date as the Court may specify. Counsel for Petitioners has been contacted regarding this request and has advise that they dispute any claim that notice was not adequately provided and oppose the filing of a Brief in Opposition.

Thank you for your consideration.

Respectfully submitted,

WINET PATRICK CREIGHTON & HANES

A handwritten signature in cursive script, appearing to read "Erin Taylor".

Erin N. Taylor

ENT:jl