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November 17, 2025

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

Re: *Express Scripts, Inc., et al., v. People of the State of California, by and through
Los Angeles County Counsel Dawyn R. Harrison*, Reply in Support of Request for
Extension of Time, Case No. 25-327

Dear Mr. Harris,

Plaintiff-Respondent the State of California (“Respondent”) submits this letter to provide a brief reply to Defendant-Petitioners’ Opposition to our request for an extension of time to submit our opposition to the pending Petition for Writ of Certiorari to January 15, 2026, filed late last Friday afternoon. Petitioners’ opposition to our request is not well-taken. It rests on a flawed notion of the urgency of their pending Petition and utterly ignores Respondent’s counsel’s professional and personal reasons for requesting the extension.

Petitioners’ letter in opposition to the request emphasizes the supposed urgency of their Petition, noting that it involves the denial of a stay pending appeal, and also references their motion to expedite consideration of the Petition. But Petitioners’ letter fails to acknowledge two critical facts concerning those matters. First, and most importantly, as the Petition itself concedes, Petitioners never sought a stay pending appeal in this case from the Court of Appeals, nor from this Court; so the absence of a current stay is entirely their own responsibility. Second, while Petitioners did move in this Court for expediting consideration of their Petition, the Court effectively denied that request by failing to act on it within the time period contemplated by Petitioners’ motion.

More importantly, Petitioners’ letter utterly fails to respond to, or even acknowledge, Respondent’s counsel’s professional and personal reasons for seeking the extension of time. As our letter submitted last Friday noted:

Good cause exists for the requested extension. Respondent’s counsel are already committed to completing and filing at least four other briefs between now and the beginning of December, which will occupy most of the available work hours between now and the current due date. In addition, lead appellate counsel for Respondent has a long-scheduled family vacation out of the country scheduled for the week of Thanksgiving until December 4. While counsel would normally limit their request for an extension to the 30-day period contemplated by the Court’s

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Guidance on Scheduling, in this instance such an extension would reset the due date for New Year's Eve, in the midst of the Christmas and New Year's holidays. It is for this reason that Respondent requests a 45-day extension.

Petitioners' letter neither acknowledges nor responds to these grounds for requesting the extension.

For each of these reasons, Respondent and its counsel respectfully request that this Court find good cause and extend the due date for their opposition to the petition for writ of certiorari to January 15, 2026.

Respectfully submitted,

/s/ Louis M. Bograd
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