

# W A I V E R

## Supreme Court of the United States

No. 25-6295

Caleb McGillvary  
(Petitioner)

v.

Nicholas Scutari, et al.  
(Respondents)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

- ☐ I am filing this waiver on behalf of all respondents.
- ☒ I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

IRA STARR, Shelley Stangler, and  
STARR GERN DAVISON RUBIN, PC

Please check the appropriate box:

- ☒ I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- ☐ I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature 

Date: 12/29/25

(Type or print) Name Amos Gern

☒ Mr.

☐ Ms.

☐ Mrs.

☐ Miss

Firm STARR GERN DAVISON RUBIN, P.C.

Address 105 EISENHOWER PARKWAY

City & State ROSELAND, NJ Zip 07068

Phone 973-432-6131 Email agern@starrgern.com

A COPY OF THIS FORM MUST BE SENT TO PETITIONER'S COUNSEL OR TO PETITIONER IF PRO SE. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE OR COVER LETTER IS REQUIRED.

cc:

# Supreme Court of the United States

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(Petitioner)

v.

No. 25-6295

Nicholas Scutari, et al.  
(Respondent)

To AMOS GERN Counsel for Respondent:

**NOTICE IS HEREBY GIVEN** pursuant to Rule 12.3 that a petition for a writ of certiorari in the above-entitled case was filed in the Supreme Court of the United States on October 29, 2025, and placed on the docket December 5, 2025. Pursuant to Rule 15.3, the due date for a brief in opposition is Monday, January 5, 2026. If the due date is a Saturday, Sunday, or federal legal holiday, the brief is due on the next day that is not a Saturday, Sunday or federal legal holiday.

Beginning November 13, 2017, parties represented by counsel must submit filings through the Supreme Court's electronic filing system. Paper remains the official form of filing, and electronic filing is in addition to the existing paper submission requirement. Attorneys must register for the system in advance, and the registration process may take several days. Further information about the system can be found at <https://www.supremecourt.gov/filingandrules/electronicfiling.aspx>.

Unless the Solicitor General of the United States represents the respondent, a waiver form is enclosed and should be sent to the Clerk only in the event you do not intend to file a response to the petition.

Only counsel of record will receive notification of the Court's action in this case. Counsel of record must be a member of the Bar of this Court.

Mr. Caleb L. McGillvary  
PO Box 861  
Trenton, NJ 08625-0861

NOTE: This notice is for notification purposes only, and neither the original nor a copy should be filed in the Supreme Court.