

APP No. 24A848

IN THE SUPREME COURT OF THE UNITED STATES

STEPHEN FOOTE, individually and as Guardian and next friend of B.F. and G.F.,
minors, and MARISSA SILVESTRI, individually and as Guardian and next friend of
B.F. and G.F., minors,

Petitioners,

v.

LUDLOW SCHOOL COMMITTEE; TODD GAZDA, former Superintendent; LISA NEMETH,
Interim Superintendent; STACY MONETTE, Principal, Baird Middle School; MARIE-
CLAIRE FOLEY, school counselor, Baird Middle School; JORDAN FUNKE, former
librarian, Baird Middle School; and TOWN OF LUDLOW,

Respondents.

On Application for an Extension of Time
to File Petition for a Writ of Certiorari to the
United States Court of Appeals for the First Circuit

**PETITIONERS' SECOND APPLICATION TO EXTEND TIME
TO FILE PETITION FOR WRIT OF CERTIORARI**

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Corporate Disclosure Statement

Pursuant to Supreme Court Rule 29.6, Petitioners Stephen Foote and Marissa Silvestri are individual persons.

To the Honorable Ketanji Brown Jackson, as Circuit Justice for the United States Court of Appeals for the First Circuit:

Pursuant to this Court's Rules 13.5, 22, 30.2, and 30.3, Petitioners respectfully request that the time to file their Petition for Writ of Certiorari in this matter be extended an additional 30 days, up to and including July 18, 2025.

The Court of Appeals issued its opinion on February 18, 2025. On March 5, 2025 this Court granted a 30-day extension until June 18, 2025. Petitioners are filing this Application more than ten days before that date. See S. Ct. R. 13.5. This Court has jurisdiction over the judgment under 28 U.S.C. 1254(1). Respondents have no objection to Petitioners' request.

Reasons For Granting An Extension Of Time

The time to file a Petition for a Writ of Certiorari should be extended for an additional 30 days for the following reasons:

1. Undersigned counsel has recently been retained as counsel of record for Petitioners. Counsel was not involved in the litigation below. It will take time for Mr. Bursch to familiarize himself with the record and prepare a concise petition of maximum helpfulness to the Court.

2. Additionally, Petitioners' counsel has numerous litigation deadlines in the weeks leading up to and immediately following the current deadline as follows:

- Opening brief due on May 28, 2025, in the U.S. Court of Appeals for the Seventh Circuit, *NIFLA v. Treto*, Case Nos. 25-1655, 25-1657.
- Opening brief due on May 30, 2025, in the U.S. Court of Appeals for the Second Circuit, *Wuoti v. Winters*, Case No. 25-678.

- Opening merits brief due on June 5, 2025, in the U.S. Court of Appeals for the Second Circuit, *Vitsaxaki v. Skaneateles Central School District*, Case No. 25-952.
- Merits opening brief and joint appendix due on June 6, 2025, in this Court, *Chiles v. Salazar*, Case No. 24-539.
- Reply brief on June 12, 2025, in the U.S. Court of Appeals for the Second Circuit, *University at Buffalo Young Americans for Freedom v. University at Buffalo Student Association*, Case No. 25-140.
- Opening brief due on June 30, 2025, in the U.S. Court of Appeals for the Third Circuit, *Heaps v. Delaware Valley Regional High School*, Case No. 24-3278.

3. An additional extension of 30 days will not cause prejudice to Respondents, as this Court would likely hear oral argument and issue its opinion in the October 2025 Term regardless of whether an extension is granted.

Conclusion

For the foregoing reasons, Petitioners respectfully request that the time to file the Petition for a Writ of Certiorari in this matter be extended 30 days, up to and including July 18, 2025.

Respectfully submitted.

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CERTIFICATE OF SERVICE

A copy of this application was served by email and U.S. mail on May 20, 2025
to the counsel listed below in accordance with Supreme Court Rule 22.2 and 29.3:

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