

LAW OFFICES
WILLIAMS & CONNOLLY^{LLP}

LISA S. BLATT
(202) 434-5050
lblatt@wc.com

680 MAINE AVENUE SW
WASHINGTON, DC 20024
202.434.5000
WWW.WC.COM

EDWARD BENNETT WILLIAMS (1920-1988)
PAUL R. CONNOLLY (1922-1978)

September 21, 2026

Via Electronic Case Filing and U.S. Mail

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

Re: *Daniel Grand v. City of University Heights, Ohio, et al.*, No. 25-965

Dear Mr. Harris:

I write in response to Petitioner's September 18, 2026 letter in the above-referenced case disclosing Mr. Grand's move out of the City of University Heights, Ohio.

It appears that Mr. Grand's move preceded the filing of his opening merits brief. According to Cuyahoga County property records and Zillow, Mr. Grand listed his house—the at-issue property, 2343 Miramar Blvd.—for sale on May 25, 2026, four days after filing his reply brief in support of his petition for certiorari. It appears that, by June 15, 2026, fifteen days before this Court granted certiorari, Mr. Grand had entered into a contract to sell his University Heights home. And Mr. Grand transferred the deed to his home to the new owners on July 9, 2026, nine days after this Court granted certiorari. Mr. Grand filed his opening brief on August 31, 2026.

On September 16, 2026, Respondents first discovered the above information and on the same day contacted Petitioner's counsel. On September 17, Petitioner's counsel confirmed that Mr. Grand no longer resides in the City of University Heights. I accordingly write to request an amended briefing schedule in light of this significant development. For unknown reasons, Petitioner's opening brief does not mention the sale of the at-issue property. Nor did Petitioner inform Respondents or the Court of this development until Respondents' independent discovery. This disclosure to the Court comes nearly three weeks after Petitioner filed his opening brief, ten days after the filing of the United States' amicus brief, and just four weeks before Respondents' brief is due.

Petitioner's letter proposes that the "effect of this development on [Mr. Grand's] claims for prospective relief"—which presumably is a reference to mootness—be addressed in the "remaining briefs." That proposal, however, would prejudice Respondents. Petitioner's proposal that Petitioner address the issue of mootness for the first time in his reply brief—even though the relevant events occurred before Petitioner filed his opening brief—would leave Respondents with

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no opportunity to respond to Petitioner's argument on this significant issue. Notably, although counsel for Petitioner maintains that this development "has no bearing on his claims for retrospective relief, which are the focus of [the] opening brief" before this Court, Petitioner made no mention of damages or "retrospective relief" in his summary judgment briefing before the district court or in his briefs to the U.S. Court of Appeals to the Sixth Circuit.

To allow the parties to appropriately and fairly address the effect of Petitioner's move outside the City of University Heights, Respondents propose the following adjustment to the briefing schedule. Petitioner should file a five-page supplemental brief addressing the effect of the sale of the at-issue property on his claims for prospective relief by September 28, 2026. Respondents should be given the previously agreed-to 46 days to respond to Petitioner's opening brief and supplemental brief and should file Respondents' brief by November 13, 2026. Petitioner should file his reply brief within the time allowed under Supreme Court Rule 25.

At a minimum, if the Court does not order supplemental briefing, Respondents respectfully request an additional 14 days to file Respondents' brief and an opportunity to respond to any arguments Petitioner raises in his reply brief regarding prospective relief.

Sincerely,

A handwritten signature in black ink, appearing to read "LS Blatt", written in a cursive style.

Lisa S. Blatt

cc: E. Joshua Rosenkranz, Counsel for Petitioner