

SUPREME COURT OF THE UNITED STATES

ACCORD TRUCKING, INC.,
Petitioner,

v.

FEDEX GROUND PACKAGE SYSTEM,
INC.,
Respondent.

U.S. Supreme Court Case No.

AZ Supreme Court No. CV-25-0057-PR

COA Div One No. 1 CA-CV 23-0710

Maricopa County Superior Court
No. CV2018-010982

APPLICATION TO THE HONORABLE ELENA KAGAN ASSOCIATE JUSTICE OF THE
SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE NINTH
CIRCUIT FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE A PETITION FOR A
WRIT OF CERTIORARI

Petitioner Accord Trucking, Inc. respectfully moves under Supreme Court Rule 13.5 for a 60-day extension of time within which to file a petition for a writ of certiorari to review the judgment of the Arizona Court of Appeals, Division One.

1. The Arizona Court of Appeals entered its Decision on October 29, 2024. (**Appen 1**).
2. Petitioner timely filed a motion for reconsideration, which the Court of Appeals denied on November 14, 2024.
3. Petitioner then sought discretionary review in the Arizona Supreme Court.
4. The Arizona Supreme Court denied review on December 12, 2025. (**Appen 2**).
5. Under Supreme Court Rule 13.1, the deadline to file a petition for writ of certiorari is March 12, 2026.
6. Petitioner respectfully requests a 60-day extension of time, up to and including May 11, 2026, within which to file the petition.

7. This case presents important questions concerning the Party Presentation Principle, judicial neutrality, procedural due process, and the constitutional right to a jury trial when a court grants dispositive relief based on legal theories never raised by the parties during five years of litigation.
8. Additional time is required to review the extensive record below and to prepare a petition addressing the federal constitutional issues presented.

WHEREFORE, Petitioner respectfully requests that the time to file a petition for writ of certiorari be extended to May 11, 2026.

Respectfully submitted this 11th day of March 2026.

/s/ Gregory G. McGill
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CERTIFICATE OF SERVICE

I certify that a copy of this corrected Application was served on counsel for respondent Fisher & Phillips LLP and in-house corp. counsel.

/s/ Gregory G. McGill