

No.

IN THE
Supreme Court of the United States

RUBICON RESOURCES, LLC,
Applicant,
v.

KEO RATHA; SEM KOSAL; SOPHEA BUN; YEM BAN;
NOL NAKRY; PHAN SOPHEA; AND SOK SANG,
Respondents.

**APPLICATION FOR A 60-DAY EXTENSION OF TIME WITHIN WHICH TO
FILE A PETITION FOR A WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

Application to the Honorable Elena Kagan,
as Circuit Justice for the Ninth Circuit

To the Honorable Elena Kagan, Associate Justice of the Supreme Court of the
United States and Circuit Justice for the Ninth Circuit:

Rubicon Resources, LLC prays for a 60-day extension of time to file its
petition for a writ of certiorari in this Court to and including July 20, 2026. The
jurisdiction of this Court would be invoked under 28 U.S.C. § 1254(1). The final
judgment of the U.S. Court of Appeals for the Ninth Circuit was entered on
February 20, 2026. The Ninth Circuit granted a stay of its mandate on March 10,
2026. As petitioner's time to file its petition for certiorari in this Court expires on
May 21, 2026, this application is being filed more than 10 days before the date the
petition is due.

A copy of the Ninth Circuit’s en banc Opinion is attached hereto as exhibit “A.” The en banc court was closely divided, six to five. As reflected in the Opinion, this case presents substantial questions of law regarding: (1) the test for determining whether a statute applies to pre-enactment conduct; and (2) the scope of appeal of denial of a motion under Rule 60(b) of the Federal Rules of Civil Procedure. The dissent by Judge Callahan (joined in whole or in part by four other judges) reflects significant disagreement over the application of Supreme Court precedent and identifies a circuit split, clearly framing issues worthy of Supreme Court review.

Petitioner has retained additional, new counsel to represent it at the Supreme Court who were not counsel in the lower courts. Counsel will therefore need additional time to familiarize themselves with the record and proceedings below.

Petitioner’s counsel contacted counsel for respondents and respondents’ counsel indicated that they consent to the requested extension of time.

Petitioner respectfully requests that an order be entered extending their time to petition for certiorari to and including July 20, 2026.

Respectfully submitted,

/s/E. Joshua Rosenkranz

E. Joshua Rosenkranz

Counsel of Record

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