

No. 25A-____

IN THE
Supreme Court of the United States

CALPORTLAND COMPANY,

Applicant,

v.

ROBERT THOMAS,

Respondent.

**APPLICATION FOR AN EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

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

1. Pursuant to Supreme Court Rules 13.5, 22, and 30, Applicant CalPortland Company,¹ respectfully requests a 60-day extension of time, up to and including February 13, 2026, to file a petition for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit, seeking review of that court's decision in *Robert Thomas v. Federal Mine Safety & Health Review Commission*, No. 24-1442, 2025 WL 2651299 (9th Cir. Sept. 16, 2025). The Court of Appeals issued its amended decision and denied CalPortland's petition for en banc review on

¹ The corporate parent of CalPortland is Taiheiyo Cement USA, Inc. The corporate parent of Taiheiyo Cement USA, Inc. is Taiheiyo Cement Corporation. Other than the listed entities, no publicly held corporation owns 10% or more of the stock of Glacier or any of its corporate parents.

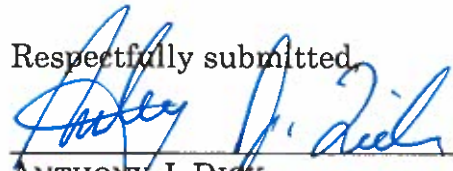
September 16, 2025. A copy of that order is attached as Appendix A. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254, and the time to file a petition for a writ of certiorari will otherwise expire on December 15, 2025. This Application for Extension of Time is timely because it has been filed on November 25, 2025, more than ten days prior to the deadline for filing the petition.

2. Applicant has good cause for an extension of time. Because CalPortland and its counsel below are not experts in this Court's certiorari practices, CalPortland recently retained the law firm of Jones Day to prepare the petition for certiorari on its behalf. Given its experience and expertise in this area, Jones Day is better able to prepare a petition that will assist this Court in evaluating the case and the issues presented. The quality of the petition would greatly benefit from an extension of time to allow Jones Day to complete the requisite research and writing.

WHEREFORE, Applicant respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari for 60 days, to and including February 13, 2026.

Dated: November 25, 2025

Respectfully submitted,



ANTHONY J. DICK

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