ATTORNEY GENERAL OF WASHINGTON

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November 13, 2026

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

RE: *Peridot Tree WA, Inc. v. Washington State Liquor and Cannabis Board*, No. 26-343

Dear Mr. Harris:

I am counsel of record for Respondent Washington State Liquor and Cannabis Board in the above-captioned case. A response to the cert petition is currently due December 4, 2026, pursuant to a prior request for an extension. Pursuant to Rule 30.4, Respondent requests an additional 46-day extension to file a brief in opposition, to January 19, 2026. Co-Respondents City of Sacramento and Davina Smith do not object to the extension. Petitioners object to the extension due to concern that the Court might not decide whether to grant or deny their petition until the 2027-28 Term and that they have scheduled time to write the reply based on the current schedule.

This request for additional time is made due to numerous other responsibilities requiring attention by the State of Washington's small team of attorneys that work on U.S. Supreme Court matters, including an exceptionally large number of Supreme Court matters. Specifically, attorneys on the U.S. Supreme Court team are currently preparing a brief in opposition in *Pacificorp v. Sixkiller*, No. 26-318 due November 27 (for which an extension has been requested); are preparing a brief in opposition in *Olympus Spa v. Armstrong*, No. 26-286 due December 4, 2026; just submitted a merits brief and are preparing for oral argument on December 7 in *International Partners for Ethical Care, Inc. v. Ferguson*, No. 25-840; and recently responded to an emergency stay application in *K.M.K. v. Washington Interscholastic Activities Association*, No. 26A458. In addition, counsel of course have non-U.S. Supreme Court responsibilities, including active litigation challenging the constitutionality of statutes and supervision of the office's appellate program.

With respect to Petitioner's concerns, Respondent submits that even with the extension, it is virtually a certainty that the Court will conference on the petition before this Term ends. Many months and over a dozen conferences would remain in the current Term after Respondent's brief would be due on January 19, up to and including the final conference on June 24. To the extent that Petitioners have unspecified scheduling concerns about their capacity with the revised deadline, Respondents would of course consent to an extension for filing their Reply if the timing of their new deadline was inconvenient. Even with such an extension for filing their Reply, there would still be many months and conferences left before the June 24 conference, and the case remains extremely likely to be conferenced before this Term ends.

The extension will allow for a more thorough presentation by Respondent, which we believe will be helpful to the Court.

Thank you for your consideration of this request.

Sincerely,

s/ Tera M. Heintz
Tera M. Heintz
Deputy Solicitor General
360-664-3027

cc: Chad Eric DeVeaux, *Counsel for Peridot Tree WA*
Lee H. Roistacher, *Counsel for City of Sacramento and Davina Smith*