



October 8, 2026

VIA ECF

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

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Re: *Sharon Aubol, et al. v. Andeavor Logistics, L.P., et al.*, No. 26-388

Dear Mr. Harris:

I am counsel of record for all respondents in the above-captioned case. A response to the petition for certiorari is currently due October 22, 2026.

Pursuant to Rule 30.4, respondents requests a 47-day extension to file a brief in opposition, which would extend its deadline to December 8, 2026. Counsel for Petitioners stated that they do not object to the requested extension.

This request for additional time is made due to numerous other responsibilities that require my attention between now and the current due date. Specifically, I am preparing for oral argument to be held in the Second Circuit on October 27 in *Mansour v. Morgan Stanley*, No. 26-600. I am also counsel responsible for multiple dispositive motions due by November 2, 2026, and replies in support of those motions, in *Robert C. Hines, Executor of the Estate of Nathan Hines, et al. v. Texas A&M University 12th Man Foundation*, 25-000315-CV-472, 472nd District Court, Brazos County, Texas.

The other attorneys on my team for this matter also have several conflicts. In addition to helping me prepare for my argument in *Mansour, supra*, the attorney who is currently drafting the Brief in Opposition also recently helped file a brief in opposition in this Court in *Federal Express Corporation v. Qualcomm*, No. 26-170 (brief in opposition filed Sept. 28), and he is currently working on a petition for certiorari in another case currently due November 6, 2026. See *Merit Energy Co. LLC v. Cherry Rider, Trustee of the Cherry Rider Family Trust, et al.*, No. 26A307. He is also involved in briefing, motions practice, and oral argument preparation in multiple appeals, including *In re SandRidge Energy, Inc.*, No. 26-20028 (5th Cir.) (recently set for argument the week of Nov. 1) and *In re Global Clean Energy Holdings, Inc.*, No. 26-20277 (5th Cir.) (multiple motions regarding record, unsealing, and possible remand). He also has a pre-planned vacation on October 20-27.

The other attorney assisting with the brief (lead trial counsel for respondents in the underlying litigation) has a pre-planned vacation out of the country on October 15-26, as well as various prior conflicts with depositions, hearings, and motion deadlines in the more than 40 cases that he is currently managing. Among other things, he has motions to dismiss due on December 7, 2026 in *In Re: ByHeart, Inc. Infant Formula Marketing, Sales Practices, and Products Liability Litigation* MDL, No. 1:26-md-03178, U.S. District Court for the Southern District of New York.

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The extension will allow for a more thorough presentation by respondents, which we believe will be helpful to the Court and not prejudice Petitioners, who requested and received a 60-day extension for their petition for certiorari.

Thank you for your consideration of this request.

Sincerely,

/s/ Mark Emery

Mark Emery