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January 21, 2018

The Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, NE
Washington, D.C. 50543

**Re: Donivon Craig Tingle, Petitioner v. Sonny Perdue, Secretary,
United States Department of Agriculture, et.al.**
Case No.: 17-807

Dear Mr. Harris:

On Thursday, January 18, 2018, in the evening, I responded to the Government's request by refusing to agree to an extension. My reasons communicated then are substantially my reasons set forth herein and include the following:

It is my routine business practice to agree to or at least not oppose another attorney's request for an extension in order to prepare a pleading or a brief. Unfortunately, this is not one of those times, and I want to take a few moments and set forth my reasons for objecting to the request for an extension.

First, there has already been an extension granted. Although the Government did not request the extension, it did benefit from the extension.

Second, I cannot afford to be placed in a position where I have to reply to two separate answer briefs. Doing so would unreasonably tax my small staff and would require me to engage my publishing company twice rather than once, which is a significant cost for a small, one attorney law firm.

Third, time is a very precious commodity at my law firm. As such, I have arranged my schedule so that I do not have any court appearances next week, which should keep me in the office so that I may devote the maximum amount of time necessary to prepare my reply brief, get it to my assistant, who will then get it to the publishing company in time to meet the deadline.

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Fourth, I am a very small law firm and over the past 20+ years of practice, I have only asked for an extension a fraction of 1% of the time, despite having handled well over 1,000 cases and countless non-litigious matters and 80,000 estate planning documents. I have accomplished this as a non-military government attorney both federal and state, a military judge advocate, an attorney at a 100 attorney law firm, and at a mega 1,500+ attorney firm, and now in my own firm. I think the Government has the resources to get their work completed in a timely fashion. This statement is meant in all sincerity with no unkind intent.

Fifth, around the time that my reply will be due if the extension is granted, I will be engaged in trial work or at least pre-trial motion hearings, and I will be out of town working in support of my title company. This is because in order to clear my court calendar for next week and my out of office visits, I had to "jam up" next month.


Sixth, I think we need to get this case before the Court so that the Court can determine what is to be done because there are a lot of anxious class members ready to be heard and a resolution to be had.

Therefore, based upon the foregoing, I cannot consent to and indeed object to any more extensions of time. Nevertheless, if the Government is granted an extension over my objection, then I must request that you do so in a manner that allows me to respond to the government and private counsels respective motions on the date that my response to the Government's answer would be due.

You may reach me by telephone at (850) 543-7123 or (850) 650-8138 and my email address is tingleandassociatespa@embarqmail.com.

Thank you.

Sincerely,


D. Craig Tingle, Esq.

DCT/sat

cc: See Attached Service List

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