



C A L I F O R N I A

DEPARTMENT OF JUSTICE

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July 26, 2024

By Electronic Filing

Hon. Scott Harris
Supreme Court of the United States
1 First St., NE
Washington, DC 20543

RE: Request for extension of time to file brief in opposition to petitions for certiorari in *Diamond Alternative Energy, LLC, et al. v. EPA, et al.* (No. 24-7) and *Ohio, et al. v. EPA, et al.* (No. 24-13)

Dear Mr. Harris:

This office represents respondent the State of California in these two cases. The petition for certiorari in *Diamond Alternative Energy, LLC v. EPA*, No. 24-7, was filed on July 2, 2024, and responses are due on August 7. The petition for certiorari in *Ohio v. EPA*, No. 24-13, was filed on July 5, 2024, and responses are due on August 8. We respectfully request that the due date for responses to the *Ohio* petition be extended by 30 days to September 7, and that the due date for responses to the *Diamond* petition be extended (by 31 days) to the same date. No extensions have been previously requested in these cases.

The extension is requested for several reasons. The two petitions seek this Court's review of the same decision by the U.S. Court of Appeals for the D.C. Circuit, regarding a waiver California has received under the Clean Air Act. California therefore expects to file a single brief in response to the two petitions. That brief may also be joined by certain other respondents in lieu of their filing their own briefs. We have been notified of two amicus briefs that will be filed in support of petitioners on or near the existing due dates for our responses. As a result, we request the extension so that we may prepare a brief that best serves the Court.

Sincerely,

/s/ Joshua A. Klein
JOSHUA A. KLEIN
Deputy Solicitor General

For ROB BONTA
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