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October 28, 2024

VIA FED EX

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

Re: *Berk v. Choy*, No. 24-440

Dear Mr. Harris:

I am counsel of record for Respondent Encompass Health Rehabilitation Hospital of Middletown, LLC (“Encompass”) in the above-referenced matter.

Pursuant to Rule 30.4, Encompass moves for an extension of 30 days to file its brief in opposition to the petition for writ of certiorari. I have recently been engaged as counsel of record for Encompass, and the extension will allow me the time I need to familiarize myself with the record and relevant legal authorities. If the extension is granted, I understand that Encompass’s brief in opposition to the petition for writ of certiorari will be due on December 18, 2024.

Thank you for your consideration.

Very truly yours,

*/s/ Matthew H. Lembke*

Matthew H. Lembke

cc: Andrew T. Tutt, Esq. (via Fed Ex & electronic mail)  
John J. Hare, Esq. (via Fed Ex & electronic mail)  
Matthew P. Donelson, Esq. (via Fed Ex & electronic mail)