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May 2, 2017

**Via Hand Delivery**

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

Re: *Town of East Hampton v. Friends of the East Hampton Airport, Inc., et al.*, No. 16-1070  
Opposition To Request For Extension Of Time To File Brief In Opposition

Dear Mr. Harris:

I am counsel of record for Petitioner Town of East Hampton (“the Town”) in the above-captioned matter and write to respectfully oppose the May 2, 2017 request by Respondents Friends of the East Hampton Airport, et al., for a 21-day extension of time in which to file the response the Court has called for to the Town’s petition for a writ of certiorari. The Town opposes a 21-day extension because it would push consideration of the Town’s petition to the Court’s next Term. This delay would be substantially prejudicial to the Town because this case concerns a preliminary injunction currently in place, blocking the enforcement of three Local Laws duly enacted by the Town for the well-being of its residents, especially during the summer months of the calendar year.

Moreover, Respondents’ request would be unwarranted and inequitable in this case. The petition in this case was filed on March 6, 2017, meaning that any brief in opposition or response was due April 5, 2017. Rather than prepare an opposition or response, Respondents chose to wait until April 3, 2017, to waive their right to file a response. With the current deadline of May 19, 2017, Respondents will have had 74 days to respond to the petition. They should not be able to use a last-minute waiver and then a subsequent request for extension as a tactical measure to push the petition to the next Term. Nor should they be able to force the Town to give up its right to file a reply in support of its petition for certiorari (as suggested in Respondents’ letter) in order to have the petition be considered this Term.

For these reasons, we respectfully request that the extension be denied. Thank you for your consideration.

Very truly yours,



Kathleen M. Sullivan

cc: Charles T. Spada, Counsel of Record for Friends of the East Hampton Airport, et al.