JONES DAY

51 LOUISIANA AVENUE, N.W. • WASHINGTON, D.C. 20001.2113
TELEPHONE: +1.202.879.3939 • FACSIMILE: +1.202.626.1700

Direct Number: (202) 879-3463 njfrancisco@JonesDay.com

November 16, 2015

Denise McNerney Merits Cases Clerk Supreme Court of the United States Washington, D.C. 20543

Re: 14-1418) Zubik, et al. v. Burwell, Sec. of H&HS, et al.; 14-1453) Priests for Life, et al. v. Dept. of H&HS, et al.; 14-1505) Roman Catholic Archbishop v. Burwell, Sec. of H&HS, et al.; 15-35) E. TX Baptist Univ., et al. v. Burwell, Sec. of H&HS, et al.; 15-105) Little Sisters of the Poor, et al. v. Burwell, Sec. of H&HS, et al.; 15-119) Southern Nazarene Univ., et al. v. Burwell, Sec. of H&HS, et al.; 15-191) Geneva College v. Burwell, Sec. of H&HS, et al.

Dear Ms. McNerney:

The Court granted the petitions for writs of certiorari in the seven cases listed above on November 6, 2015, and directed the parties to submit a joint proposal for briefing on the merits to keep the number of briefs to a minimum and to avoid repetition of argument. The parties have conferred, and the following joint proposal is now submitted on behalf of all parties, including the Government.

First, the parties propose that the Petitioners submit two consolidated opening briefs. One opening brief will cover the Petitioners in *Zubik*, No. 14-1418; *Priests for Life*, No. 14-1453; and *Roman Catholic Archbishop of Washington*, No. 14-1505. The other opening brief will cover the Petitioners in *East Texas Baptist University*, No. 15-35; *Little Sisters of the Poor*, No. 15-105; *Southern Nazarene University*, No. 15-119; and *Geneva College*, No. 15-191. The Government will submit one consolidated response brief. Each of the two groups of Petitioners will then submit a consolidated reply.

Second, the parties propose an extension of the word limit in each of the briefs. Specifically, Petitioners request 20,000 words for each of their consolidated opening briefs and 8,000 words for each of their consolidated reply briefs. The Government requests 22,500 words for its consolidated response.

Third, the parties propose an extension of the briefing schedule as follows:

Denise McNerney November 16, 2015 Page 2

Petitioners' opening briefs:

Respondents' brief:

2/10/16

1/4/16

Petitioners' reply briefs:

3/11/16

This schedule would allow for oral argument in either week of the March argument session.

Very truly yours,

Noel J. Francisco

cc: Mr. Paul Michael Pohl

Jones Day

500 Grant Street, Suite 4500

Pittsburgh, PA 15219

Mr. Robert Joseph Muise

American Freedom Law Center

P.O. Box 131098

Ann Arbor, MI 48113

Mr. Paul D. Clement

Bancroft PLLC

500 New Jersey Avenue NW

Seventh Floor

Washington, DC 20001

Mr. David A. Cortman

Alliance Defending Freedom

1000 Hurricane Shoals Road, N.E., Suite D-1100

Lawrenceville, GA 30043

Mr. Donald B. Verrilli, Jr.

Solicitor General

United States Department of Justice

950 Pennsylvania Avenue, N.W.

Washington, DC 20530-0001