## UNITED STATES INTERNATIONAL TRADE COMMISSION WASHINGTON, D.C.

#### Before the Honorable Doris Johnson Hines Administrative Law Judge

In the Matter of

CERTAIN VAPORIZER DEVICES, CARTRIDGES USED THEREWITH, AND COMPONENTS THEREOF Investigation No. 337-TA-1372

# OMNIBUS MOTION TO FILE OUT OF TIME OMNIBUS REPLY BRIEF IN SUPPORT OF THIRD PARTIES' MICHAEL J. MEDLEY'S, THOMAS H. MARTIN'S, AND MARTIN & FERRARO LLP'S MOTIONS TO QUASH

Third Parties' Michael J. Medley, Thomas H. Martin, and Martin & Ferraro LLP, pursuant to 19 C.F.R. § 210.15, respectfully move the ALJ for leave to file its Omnibus Reply Brief in Support of Third Parties' Michael J. Medley's, Thomas H. Martin's, and Martin & Ferraro LLP's Motions to Quash Respondent's Subpoenas *Ad Testificandum* and *Duces Tecum* ("Omnibus Reply Brief in Support of Motions to Quash") one day out of time. The Commission Investigative Staff and Counsel for Respondent JUUL Labs, Inc.'s ("Respondent" or "JLI") do not oppose.

The procedural schedule in this Investigation requires that the Omnibus Reply Brief in Support of Motions to Quash be filed and served on April 4, 2024. *See* Order No. 2, Ground Rule 6.6.2. Despite Counsel's best efforts to file the Omnibus Reply Brief in Support of Motions to Quash before 5:15 p.m. Eastern time on April 4, the EDIS document submission interface experienced a technical issue that caused a delay in filing the Omnibus Reply Brief in Support of Motions to Quash until 34 minutes after this deadline. Counsel's inability to file the Omnibus Reply Brief in Support of Motions to Quash on time did not prejudice the Staff or JLI: the Omnibus Reply Brief in Support of Motions to Quash was served on the Staff and JLI at 6:09 p.m. Third



parties' Mr. Medley, Mr. Martin, and Martin & Ferraro LLP did not receive any unfair advantage due to its time of filing because the Omnibus Reply Brief in Support of Motions to Quash was filed and served within an hour of the deadline.

Thus, Mr. Medley, Mr. Martin, and Martin & Ferraro LLP respectfully request that the ALJ grant the omnibus motion and allow Mr. Medley, Mr. Martin, and Martin & Ferraro LLP to file the Omnibus Reply Brief in Support of Motions to Quash out of time.



### Dated: April 5, 2024 Respectfully Submitted,

/s/ Anish R. Desai

Anish R. Desai Elizabeth S. Weiswasser Adam B. Banks Kathryn E. Leicht Ian Moore Barry Zhang Tom Yu Weil, Gotshal & Manges LLP 767 Fifth Avenue New York, NY 10153 Telephone: (212) 310-8000

W. Sutton Ansley Christopher M. Pepe Amanda K. Branch Matthew D. Sieger Eric C. Westerhold Weil, Gotshal & Manges LLP 2001 M Street NW, Suite 600 Washington, DC 20036 Telephone: (202) 682-7000

Adrian C. Percer Weil, Gotshal & Manges LLP 201 Redwood Shores Parkway Redwood Shores, CA 94065 Telephone: (650) 802-3000

Beth Wilkinson Brian L. Stekloff James Rosenthal Alysha Bohanon Wilkinson Stekloff LLP 2001 M Street N.W., 10th Floor Washington, DC 20036 Telephone: (202) 847-4000

Counsel for Michael J. Medley, Thomas H. Martin, and Martin & Ferraro LLP



### **CERTIFICATE OF SERVICE**

I hereby certify the foregoing **OMNIBUS MOTION TO FILE OUT OF TIME OMNIBUS REPLY BRIEF IN SUPPORT OF THIRD PARTIES' MICHAEL J. MEDLEY'S, THOMAS H. MARTIN'S, AND MARTIN & FERRARO LLP'S MOTIONS TO QUASH**, was served on this 5th day of April, 2024, upon the following, by the indicated means:

Vu Bui, Esq.	Via Electronic Mail
Office of Unfair Import Investigations	
U.S. International Trade Commission	Vu.Bui@usitc.gov
500 E Street, S.W.	
Washington, D.C. 20436	
Counsel for Respondent JUUL Labs, Inc.	Via Electronic Mail
Michael T. Renaud	Mintz-JUUL-ITC-2@mintz.com
Adam S. Rizk	White to the first and the first state of the first
Marguerite McConihe	
Matthew A. Karambelas	
Catherine Xu	
James Thomson	
Tianyi Tan	
Hannah Edge	
Mintz Levin Cohn Ferris Glovsky and Popeo, P.C.	
One Financial Center	
Boston, MA 02111	
David Hollander	
Mintz Levin Cohn Ferris Glovsky and Popeo, P.C.	
555 12th Street NW, Suite 1100	
Washington, D.C. 20004	
Reza Dokhanchy	
Mintz Levin Cohn Ferris Glovsky and Popeo, P.C.	
3580 Carmel Mountain Road, Suite 300	
San Diego, CA 92130	
S. Alex Lasher	qe-jli-njoy-itc-1372@quinnemanuel.com
K. Kevin Chu	
Quinn Emanuel Urquhart & Sullivan, LLP	
1300 I Street, N.W., Suite 900	
Washington, D.C. 20005	
Victorio E Moroulio	
Victoria F. Maroulis	
Quinn Emanuel Urquhart & Sullivan, LLP	
555 Twin Dolphin Dr., 5th Floor	
Redwood Shores, CA 94065	



Andrew M. Holmes
Iman Lordgooei
Quinn Emanuel Urquhart & Sullivan, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111

/s/ Ryan Sotnick

Ryan Sotnick IP Paralegal Weil, Gotshal & Manges LLP 2001 M Street, N.W., Suite 600 Washington, D.C. 20036 ryan.sotnick@weil.com 202.682.7000

