

## KING & SPALDING

King & Spalding LLP  
101 Second Street  
Suite 2300  
San Francisco, CA 94105  
Tel: +1 415 318 1200  
Fax: +1 415 318 1300

Joseph R. Wetzel  
Partner  
Direct Dial: +1 415 318 1263  
Direct Fax: +1 415 318 1300  
jwetzel@kslaw.com

January 25, 2018

### VIA CM/ECF FILING

Mark Langer, Clerk  
United States Court of Appeals for the  
District of Columbia Circuit  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue NW  
Room 5205  
Washington, DC 20001-2866

Re: *American Society for Testing and Materials et al. v. Public.Resource.Org. Inc.*,  
Case No. 17-7035 and *American Educational Research Association et al. v.*  
*Public.Resource.Org Inc.*, Case No. 17-7039

Mr. Langer:

The consolidated appeals of the above referenced matters are scheduled to be fully briefed on February 14, 2018. The Court has not yet scheduled oral argument.

I am lead counsel for the American Society of Heating, Refrigerating and Air-Conditioning engineers, which is an appellee in Case No. 17-7035. I write to inform the Court that I will be unavailable for oral argument on the following dates: March 13-16, April 3-6, May 25, and July 2-6. I respectfully request that the Court not schedule oral argument in this matter on these dates.

Regards,

*/s/ Joseph R. Wetzel*

Joseph R. Wetzel

Cc: All Counsel via CM/ECF