

United States Court of Appeals

FIFTH CIRCUIT
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December 03, 2025

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No. 25-60535 Consumers' Research v. FCC
Agency No. 96-45

Dear Counsel,

We have filed the certified list. PETITIONER'S BRIEF AND EXCERPTS ARE DUE WITHIN 40 DAYS FROM THE DATE ABOVE, See Fed. R. App. P. and 5th Cir. R. 28, 30 and 31. Except in the most extraordinary circumstances, the maximum extension for filing briefs is 40 days in agency cases. See also Fed. R. App. P. 30.1.2 and Fed. R. App. P. 31.1 to determine if you have to file electronic copies of the brief and record excerpts, and the Portable Document Format (PDF) you MUST use. See also Fed. R. App. P. 30.1 for the contents of the Record Excerpts which are filed instead of an appendix. You may access our briefing checklist on the Fifth Circuit's website "<http://www.ca5.uscourts.gov/docs/default-source/forms-and-documents---clerks-office/rules/brchecklist.pdf>". An intervenor's time is governed by Fed. R. App. P. 31.2. Fed. R. App. P. 42.3.2 allows the clerk to dismiss appeals **without notice** if the brief is not filed on time.

The caption for this appeal is attached, and we ask you to use it on any briefs filed with this court.

Because this case is proceeding on a certified list of documents instead of the record, see Fed. R. App. P. 30.2. Petitioner must obtain a copy of the portions of the record relied upon by the parties in their briefs, and file them within 21 days from the date of filing of respondent's brief, with suitable covers, numbering and indexing.

Brief Template: The clerk's office provides brief templates and a tool to check briefs for potential deficiencies before docketing. To access these resources, log in to CM/ECF and select 'Brief Template' (Counsel Only) or 'PDF Check Document' from the Utilities menu or the "Attorney Toolbox".

Reminder Regarding Sealed Documents: Our court presumes the public has a right to court records, and request to seal pleadings, record excerpts, or other documents must be justified with particularity. Simply stating that the originating court sealed the matter is insufficient. Counsel is responsible for justifying a request to file under seal, as well as for notifying the court when sealing is no longer necessary. An unopposed motion to seal does not relieve counsel of the obligation to justify the motion.

Signing Pleadings. While our rules do not directly regulate the process by which a party or an attorney produces the filing—such as writing it personally with no assistance, delegating part of its preparation to another, or using generative artificial intelligence, the signature is an attestation that the signer has reviewed the filing and is responsible for the accuracy of its contents.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Shatyra Rasheed, Deputy Clerk

Enclosure(s)

cc w/encl:

Ms. Pamela Bondi, U.S. Attorney General
Mr. James Michael Carr
Ms. P. Michele Ellison
Mr. Jacob Matthew Lewis
Mr. Jason Neal
Mr. Michael S. Raab
Mr. Andrew Jay Schwartzman
Ms. Caroline W. Tan
Ms. Jennifer Tatel

Case No. 25-60535

Consumers' Research; Cause Based Commerce, Incorporated; Edward J. Blum; Kersten Conway; Suzanne Bettac; Robert Kull; Kwang Ja Kirby; Tom Kirby; Joseph Bayly; Jeremy Roth; Deanna Roth; Lynn Gibbs; Paul Gibbs; Rhonda Thomas; James Romeo; Cody Carnett; Phillip Aronoff; Jacqueline Klein,

Petitioners

v.

Federal Communications Commission; United States of America,

Respondents