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** Special Legal Consultant, qualified in the People's Republic of China.

September 16, 2019

VIA ECF

Hon. Robert W. Lehrburger
500 Pearl Street, Room 1960
United States Courthouse
New York, NY 10007

Re: State of New York, et al. v. Deutsche Telekom AG, et al.,
No. 1:19-cv-05434-VM-RWL (S.D.N.Y.)

Dear Magistrate Judge Lehrburger:

We write on behalf of all Defendants regarding the trial schedule in the above-captioned action. As the Case Management Order entered by Your Honor provides, trial is set to begin on December 9, 2019 and is scheduled to run for two to three weeks. See CMO §§ 10.A, 10.C. Defendants believe that a third week of trial is likely to be necessary. Defendants thus respectfully seek guidance on whether Judge Marrero would conduct trial on any of the days during the weeks of December 23 or December 30. While we are cognizant that these are holiday weeks, Defendants would appreciate the ability to continue trial during these weeks in order to avoid a substantial break in the proceedings and a further delay in resolution of the case. Alternatively, Defendants respectfully suggest that the Court consider whether its schedule might now permit trial to begin on December 2, which would allow the trial to be completed before the holidays and obviate this issue.

We thank the Court for its consideration of this issue. As explained during the parties' August 1, 2019 case management conference, this has already been among the longest

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merger reviews in history, and T-Mobile and Sprint are competitively disadvantaged every day that they are unable to move forward with integration and building the world-class 5G network that will be enabled by combining their complementary networks. *See* 8/1 Hearing Tr. at 77-79. Therefore, prompt resolution of the case is of critical importance both to the companies and to the public.

We have discussed this matter with Plaintiffs' counsel, who informed us that they will be submitting their own correspondence on this subject shortly.

Respectfully submitted,

/s/ David I. Gelfand

David I. Gelfand