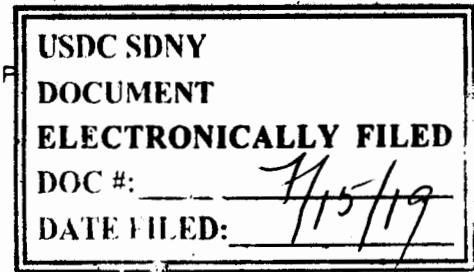


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July 15, 2019

BY FAX

Hon. Victor Marrero  
United States District Judge  
500 Pearl St.  
New York, NY 10007-1312

Re: *State of New York et al. v. Deutsche Telekom et al.*, No. 1:19-cv-05434-VM

Dear Judge Marrero:

I write on behalf of Plaintiff States to update the Court regarding the trial date and schedule in this case. Plaintiff States agreed to an October 7, 2019, trial date, and the aggressive pre-trial schedule necessary to achieve that date, on the following express condition, which Defendants agreed to and which was incorporated into the parties' Joint Proposed Case Management Plan and Scheduling Order:

Trial Date: The parties request a trial date of October 7, 2019, *provided* that (i) by June 28, 2019, Plaintiffs receive all material terms relating to any settlement agreement(s) reached between the Defendants and the USDOJ, including but not limited to all material terms of any related agreements involving third parties; and (ii) by July 12, 2019, Plaintiffs receive all definitive documents that will be used to implement such agreements.

Joint Proposed Case Management Plan and Scheduling Order § 10, ECF No. 73 at pp.7-8 (June 28, 2019). Defendants have not met this condition. Indeed, based on press reports it is unclear whether Defendants will reach agreement with third parties and USDOJ at all.

Plaintiff States engaged in discussions yesterday with Defendants regarding the appropriate trial date and pre-trial schedule and continue to confer with Defendants regarding these issues. We hope to hear back from Defendants today and will apprise the Court if the parties can reach agreement on a new schedule.<sup>1</sup>

<sup>1</sup> Plaintiff States discussed this issue with Defendants yesterday, but the parties have not yet reached an agreement on a new trial and pre-trial schedule. Defendants requested that Plaintiff States inform the Court that Defendants have asked until the end of the day on Monday, July 15, 2019, to reach an agreement with Plaintiffs States.

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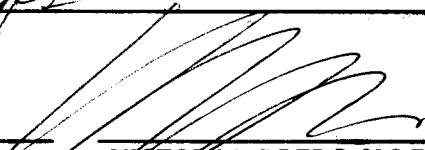
Plaintiff States are also requesting Magistrate Judge Lehrburger to hold a status conference this week to address the few remaining disputes between the parties reflected in the jointly-submitted Joint Proposed Case Management Plan and Scheduling Order, ECF No. 73.

Very truly yours,



Glenn D. Pomerantz

Cc (by email): All counsel of record.

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by	
<u>plaintiffs</u>	
<b>SO ORDERED.</b>	
<u>7-15-19</u>	
DATE	VICTOR MARRERO, U.S.D.J.