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BY E-FILE AND HAND DELIVERY

August 12, 2025

The Honorable Maryellen Noreika
United States District Court for the District of Delaware
844 North King Street Wilmington DE 19801

Re: *Sun v. Bloomberg L.P. et al.*, No. 25-cv-01007
Response re: application for TRO

Dear Judge Noreika:

This law firm and Williams & Connolly LLP (pro hac vice appearances to be submitted) represent Bloomberg L.P. and Bloomberg Inc. (“Bloomberg”), defendants in the above-referenced lawsuit, filed yesterday.

Bloomberg received notice at 7:09 p.m. Eastern last night from lawyers for plaintiff Justin Yuchen Sun that a temporary restraining order application had been made against Bloomberg. The ECF time stamp indicates the filing was made at 7:05 p.m. I write to let the Court know that Bloomberg will oppose the application and ask that the Court not grant any TRO until Bloomberg has had an opportunity to file an opposition. We will file an opposition by any deadline that the Court sets.

Critically, the entire basis of the TRO application, including the relief it requests, is *moot*: The application seeks a prior restraint against Bloomberg publishing certain information about Sun’s wealth and holdings, “the amounts of any specific cryptocurrency owned by Plaintiff,” Complaint at 13, in Bloomberg’s Billionaires Index news report. However, Bloomberg already had published the article about Sun at 5:12 p.m. Eastern last night, approximately two hours *before* Sun’s lawyers gave Bloomberg notice of this TRO application. Because the application seeks only to prevent publication, and publication occurred last night, the TRO application is moot.

Bloomberg will also show in its opposition that the TRO against publication that Sun seeks would irreparably harm Bloomberg by infringing on its First Amendment right not to be subject to a prior restraint, that Sun cannot show a likelihood of success in the merits on either his invasion of privacy or promissory estoppel claims (the law and the facts are clear that Bloomberg breached no promise to him), that he cannot show irreparable harm, and that a TRO

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would gravely disserve the public interest. A prior restraint against publication is an extraordinary remedy that the U.S. Supreme Court has repeatedly said is available only in the rarest circumstances, none of which is present here.

I am available at 302-571-6726 should anyone have any questions.

Respectfully submitted,

/s/ Robert M. Vrana

Robert M. Vrana (No. 5666)

RMV