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May 8, 2023

VIA ELECTRONIC FILING

The Honorable Ona T. Wang
U.S. District Court, S.D.N.Y.
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: In re Application of Sukhbaatar Batbold, 21-mc-00218-RA (S.D.N.Y.)

Dear Judge Wang:

We respectfully submit this letter on behalf of Petitioner Sukhbaatar Batbold to update the Court on the status of the foreign cases that form the basis of this action under 28 U.S.C. § 1782. As the Court knows, Mr. Batbold commenced this action to seek discovery for use in proceedings in Hong Kong, Singapore, England, Jersey, and in Mongolia. *See* Dkt. 15. The Court granted Mr. Batbold's application on October 6, 2021, permitting him to serve subpoenas on K2. Dkt. 53. Mr. Batbold subsequently informed the Court of related proceedings brought against him in the British Virgin Islands, *see* Dkt. 72, and of affirmative proceedings he commenced in Mongolia, *see* Dkt 139, in which he would similarly use any discovery from K2 that was granted here. Mr. Batbold served his subpoenas on October 8, 2021. On June 30, 2022, K2 moved to quash, *see* Dkts. 113 & 115, and on July 15, 2022, Mr. Batbold cross-moved to compel, *see* Dkts. 130–131. Those cross-motions are currently pending.

We write to inform the Court that the Royal Court of Jersey recently lifted the freezing injunction in place against Mr. Batbold and dismissed the proceedings against him in their entirety. This decision by the Royal Court of Jersey follows similar decisions issued by the courts in Hong Kong, England, the British Virgin Islands, and in Singapore. Mr. Batbold has now prevailed in every case pending against him. In addition, all proceedings in Mongolia have come to a close.

Mr. Batbold respectfully requests in light of these developments that the Court dismiss these proceedings without prejudice as moot. A notice of voluntary dismissal is filed concurrently herewith.

We thank the Court for its kind consideration.

GIBSON DUNN

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May 8, 2023
Page 2

Respectfully submitted,

/s Orin Snyder

Orin Snyder

Counsel for Petitioner

cc: All Counsel of Record (via ECF)