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November 19, 2021

VIA ECF

Hon. Paul G. Gardephe, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

**Re: Everytown for Gun Safety Action Fund, Inc. v. Defcad, Inc., et al.
Civil Action No. 21-cv-8704 (PGG)**

Dear Judge Gardephe:

We represent Defendants Defcad, Inc., Odysee User xYeexySZN, Defcad User xYeezySZN, The Gatalog, Defcad User Freeman1337, Twitter User xYeezySZN, and Phillip Royster in the above-referenced matter.

We understand the Second Circuit has calendared our Petition and Motion for Tuesday November 23, 2021 and that the Court might rule as early as that same day. Given that the Second Circuit's administrative stay has stayed all dates under the November 5, 2021 Order to Show Cause, we write to inquire as to whether Your Honor intends to conduct a conference call for the purpose of setting forth a new briefing and hearing schedule in the event the Second Circuit lifts the stay as part of its ruling and allows briefing to go forward.

We can be available for such a call November 24 or 26, as well as the entire following week with the exception of November 30.

Thank you.

Respectfully submitted,

/s/ Daniel L. Schmutter
DANIEL L. SCHMUTTER

DLS/srs

cc: Marcella Ballard, Esq. (via ECF and email)
Meaghan Kent, Esq. (via ECF and email)