

MakerDAO - (SDNY 2022) - Case Id: 1:22-cv-08479

Re: Provisional Request for Delay

Sir or Madam:

If the Council is not admitted to defend our case, MakerDAO asks that the Court delay a determination of Default Judgment so that we can revise our strategy and seek alternative legal representation. Also, we ask that the Court provide specific language and guidance of any non-admittance of Council Counsel so that we can most effectively re-engage with industry partners for their advice and continued participation.

Members of the governance teams were advised that Sullivan Cromwell were already acting as counsel, but an independent review of the Court record indicates that this representation has not yet been finalised and may not be certain. Maker regularly uses legal counsel as centralising intermediary in lending transactions with non-crypto entities, but counsel is never refused admittance or participation.

On matters of intellectual property, the Dai Foundation assiduously protects MakerDAO's trademarks, software and websites, but our belief is and remains that IP claims against us can be dismissed in consideration of Maker's stateless organisation and autonomous operations. As a DAO, Maker's legal resources are limited to protecting DAO assets.

Prior to any adverse ruling, MakerDAO's administrators would like the opportunity to reconsider our legal resources in the interest of delaying and vacating any Court ruling.

Kindest Regards,
@makerDAOdai