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March 16, 2023

Via ECF

The Honorable Vernon S. Broderick  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007.

Re: *True Return Systems LLC v. MakerDAO*, No. 22-cv-8478 (VSB)

Dear Judge Broderick:

I respectfully write on behalf of our client the Crypto Council for Innovation (“CCI”) regarding the March 14, 2023 letter submitted by the unknown individual or entity calling itself @MakerDAO (ECF No. 46). The March 14 letter refers to “[d]etailed CCI member positions already shared, but not yet presented to the Court” and “disclosure of our data by counsel.” CCI provides the below explanation to avoid any confusion.

On Monday, March 13, a CCI representative received an e-mail at a personal address and from the address daigovernance@proton.me. Proton.me is an encrypted e-mail service based in Switzerland.<sup>1</sup> The e-mail purported to be from “Team Maker,” although it also purported to speak on behalf of “Steakhouse and Chronicle.” CCI does not know who sent the e-mail—or who submitted seemingly related letters to the Court under the name @MakerDAO—but there is zero basis to believe that the anonymous individual or entity has authority to speak for the decentralized protocol called MakerDAO. Indeed, it is entirely possible that the anonymous individual or entity has interests adverse to MakerDAO.

With regard to content, the e-mail from daigovernance@proton.me was entirely consistent with the disclosures CCI made to the Court: Certain CCI members have an interest in MakerDAO and several of them do not. (See ECF Nos. 39, 45.) The e-mail, however, purported to provide detailed information regarding the interests of certain members. CCI does not know the circumstances under which the sender obtained the

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<sup>1</sup> See *Proton Mail*, PROTON, <https://proton.me/mail> (last visited March 16, 2023).

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purported information, and does not know if the information is accurate. CCI respectfully believes the e-mail is irrelevant, but if the Court would like to review it, CCI would be happy to submit it to Your Honor. Given the circumstances, CCI also would file papers requesting that the e-mail be kept under seal.

CCI continues to be concerned that its simple motion to participate as *amicus curiae* has become needlessly complex due to repeated submissions from an unknown individual or entity, but CCI hopes this complexity does not detract from the merits of its motion.

We would be happy to provide any other information the Court might find helpful.

Respectfully Submitted,

*/s/ Dustin F. Guzior*

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cc: All Counsel of Record (via ECF)