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July 28, 2023

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VIA ECF FILING

Hon. Vernon S. Broderick
U.S. District Court Judge
U.S. District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *True Return Systems, LLC v. MakerDAO*. SDNY-1-22-cv-08478-VSB

Dear Judge Broderick:

On July 6, 2023, the Court ordered the parties to file by July 28, 2023, “a joint letter with their respective views on whether *True Return Systems LLC v. Compound Protocol*, No. 1:22-cv-08483 is related to the present action.” Dkt. No. 54. This is the parties’ joint letter in response to that order.

Position of both plaintiff True Return Systems and defendant MakerDAO on relatedness

The parties agree that the present action is not related to the *Compound Protocol* action, Case No. 1:22-cv- 08483. The two cases involve different defendants and different accused systems and activities that present different facts with respect to assessing True Return Systems’ claims for infringement and the defendants’ respective defenses of noninfringement. MakerDAO’s and Compound Protocol’s potential invalidity defenses against the asserted patent might involve overlapping facts, arguments, and law, but the differences between the two cases with respect to infringement and noninfringement support finding the cases not to be related.

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The parties are engaged in discussions on how to proceed given that Plaintiff has filed a Motion for Default Judgment (Dkt. No. 26) and request a status conference with the Court.

Sincerely,

/s/ David Boag

/s/ Gene Lee

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True Return Systems, LLC

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