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January 2, 2025

VIA ECF

Hon. Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Freeman et al. v. Giuliani*, No. 24-cv-6563 (LJL); No. 24-mc-353 (LJL)

Dear Judge Liman:

Plaintiffs Ruby Freeman and Wandrea' Moss respectfully submit this letter in response to Defendant's letter-motion for leave to appear virtually at tomorrow's hearing. No. 24-mc-353, ECF No. 212; No. 24-cv-6563, ECF No. 177.

If Defendant were to testify at tomorrow's hearing, Plaintiffs would insist on the opportunity to cross-examine him in person. However, in a written exchange by email shortly after the filing of Defendant's letter-motion, Defendant's counsel represented that, based on a conferral with his client, Defendant "will not be testifying tomorrow if the request [Defendant's counsel] made to the Court is granted." Based upon that representation, and on the understanding that Defendant will not later be heard to complain that he lacked a full and fair opportunity to testify on his own behalf, Plaintiffs take no position on Defendant's request to appear virtually—subject to the Court's views about whether Mr. Giuliani's live testimony is necessary to the Court's consideration or decision of any of the issues in dispute.

Respectfully submitted,

s/ Aaron E. Nathan