

EXHIBIT B

From: [Connolly, Michaela](#)
To: [Alice Buttrick](#); [Bryan Freedman](#); [Ellyn Garofalo](#); [Alexandra Shapiro](#); [Jonathan Bach](#); [Kim Zeldin](#); [Mitra Ahouraian](#); [Summer Benson](#); [Theresa Troupson](#); [Amir Kaltgrad](#); [Jason Sunshine](#); [Local KAF. Counsel](#); [Local MS. Counsel](#); [Stacey Ashby](#)
Cc: [Gottlieb, Michael](#); [Hudson, Esra](#); [Bender, Kristin](#); [Meryl Governski](#); [Roeser, Stephanie](#); [anathan](#); [Bruno, Matthew](#); [Moses, Sarah](#); [Taustine, Melissa](#); [Climaco, Katelyn](#); [Armani, Sareen](#)
Subject: RE: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions
Date: Sunday, March 22, 2026 7:42:58 PM

[EXTERNAL] Please do not reply, click links, or open attachments unless you recognize the source of this message and know the content is safe.

Counsel,

Thank you for transmitting the Wayfarer Parties' initial exhibit list. In our review of the same, we flagged a number of deficiencies that prevent us from identifying the full universe of documents designated as exhibits. To ensure that we timely provide objections, where necessary, to the Wayfarer Parties' proposed exhibits, we would appreciate clarification/confirmation as to the below-identified issues by 2:00 p.m. ET tomorrow.

Exs. 1729, 1760, 1761, 1763, 1773, and 1780 all correspond to inoperative versions of documents that Ms. Lively produced in discovery. Each document was reproduced after conferrals regarding confidentiality designations, and the reproduced versions bear a suffix reading "_A." Please confirm whether Defendants intend to use the reproduced versions of these documents as exhibits.

We also noted discrepancies in the end bates associated with many of Defendants' exhibits and will need clarification to identify the correct contents of Defendants' exhibit list. To that end, please confirm and/or provide additional information regarding each of the below points.

- Ex. 1300 reflects a beginning bates and end bates of JONESWORKS_00006978. The document with beg bates JONESWORKS_00006978 is an 11-page parent in a 69-member family. Please confirm the intended end bates for this exhibit.
- Ex. 1406 reflects a beg bates of NATHAN_000002524 and an end bates of NATHAN_000002531, but NATHAN_000002531 is not an end bates to any document and instead falls in the middle of the first document in a 14-member family. Please confirm the intended end bates for this exhibit.
- Ex. 1608 reflects a beg bates of 24-CV-10049_0002367, which corresponds to a 2-page standalone document with no connection to the listed end bates of 24-CV-10049_0002483. Please confirm the correct end bates for this exhibit.
- Exs. 1625 and 1626 list beg bates of HOOVER_000000090 and HOOVER_000000152, respectively. We assume the beg/end bates for Ex. 1625 is Hoover 0090 and Hoover 0099, and the beg/end bates for Ex. 1626 is Hoover 0152 and Hoover 0161. Please confirm.
- Ex. 1627 does not list an end bates. Given that this document is a standalone, we assume the end bates is IF_000021. Please confirm.
- Ex. 1811 is a standalone, two-page document, but the beg and end bates are both identified as BL-000034245. We assume the intended end bates is BL-000034246; please confirm.
- There are several instances where two exhibits bear the same end bates despite listing a different beg bates. For each of these exhibits, listed below, please confirm the correct end

bates.

Potential Exhibit Number	Beginning Bates	End Bates
1044	BALDONI_000026188	BALDONI_000026189
1045	BALDONI_000026189	BALDONI_000026189
1119	HEATH_000041864	HEATH_000041899
1120	HEATH_000041865	HEATH_000041899
1203	WAYFARER_000111054	WAYFARER_000111056
1204	WAYFARER_000111055	WAYFARER_000111056
1501	SPE_BL0000343	SPE_BL0000348
1502	SPE_BL0000344	SPE_BL0000348
1515	SPE_BL0003512	SPE_BL0003516
1516	SPE_BL0003515	SPE_BL0003516
1522	SPE_BL0005326	SPE_BL0005328
1523	SPE_BL0005327	SPE_BL0005328
1527	SPE_BL0007874	SPE_BL0007877
1529	SPE_BL0007877	SPE_BL0007877
1603	24-CV-10049_0001816	24-CV-10049_0001824
1605	24-CV-10049_0001822	24-CV-10049_0001824
1628	JS0000394	JS0000399
1629	JS0000399	JS0000399

Ms. Lively reserves all rights.

Best,
Michaela

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 Pronouns: she, her, hers

From: Alice Buttrick <abuttrick@shapiroarato.com>

Sent: Friday, March 20, 2026 10:39 PM

To: Connolly, Michaela <MConnolly@willkie.com>; Bender, Kristin <KBender@willkie.com>; Bryan Freedman <bfreedman@lftcllp.com>; Ellyn Garofalo <egarofalo@lftcllp.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; Jonathan Bach <jbach@shapiroarato.com>; Kim Zeldin <kzeldin@lftcllp.com>; Mitra Ahouraian <mitra@ahouraianlaw.com>; Summer Benson <sbenson@lftcllp.com>; Theresa Troupson <ttroupson@lftcllp.com>; Amir Kaltgrad <akaltgrad@lftcllp.com>; Jason Sunshine <jsunshine@lftcllp.com>; Local KAF. Counsel <kaf@msf-law.com>; Local MS. Counsel <ms@msf-law.com>; Stacey Ashby <sma@msf-law.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Hudson, Esra <EHudson@manatt.com>; Stephanie Roeser <SRoeser@manatt.com>; Nathan, Aaron E. <ANathan@willkie.com>; Matthew F. Bruno <MBruno@manatt.com>; Moses, Sarah

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Subject: Re: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

***** EXTERNAL EMAIL *****

All,

Please find attached or at the following links:

1. The Wayfarer Parties' initial witness list
2. The Wayfarer Parties' initial deposition designations, including word versions with line numbers and highlighted versions of the transcripts (the highlights are shown next to the line numbers on the side)

https://www.dropbox.com/scl/fo/6wa9idlp84ava09vri2pk/AH_91KdjXjftfqldKNRFSjE?rlkey=0fxdb2hwdkntuquhzumay34cm&st=xeosl7fj&dl=0

3. The Wayfarer Parties' initial exhibit list
4. Copies of the non-Bates stamped documents the Wayfarer Parties may use as exhibits in their case-in-chief.

<https://shapiroaratobach.sharefile.com/share/view/64c444aea5cb49c8/fo196869-1ad6-40b5-b200-9133e99a423f>

Please note that in some instances we were not able to provide copies of non-Bates stamped documents due to size or format. Those are noted in our exhibit list. We also note in places where we intend to include excerpts of documents, and we have provided some of those excerpts for your review. We are still in the process of excerpting other materials.

We reserve rights to add or remove exhibits, witnesses, and designations; to use any exhibits marked by Lively; and to call any witnesses on Lively's list. In particular, we note that these lists may well need to be revisited following any ruling on the pending motions.

Best,
Alice

From: Alice Buttrick <abuttrick@shapiroarato.com>

Date: Friday, March 20, 2026 at 4:17 PM

To: Connolly, Michaela <MConnolly@willkie.com>, Bender, Kristin <KBender@willkie.com>, Bryan Freedman <bfreedman@lftcllp.com>, Ellyn Garofalo <egarofalo@lftcllp.com>, Alexandra Shapiro <ashapiro@shapiroarato.com>, Jonathan Bach <jbach@shapiroarato.com>, Kim Zeldin <kzeldin@lftcllp.com>, Mitra Ahouraian <mitra@ahouraianlaw.com>, Summer Benson <sbenson@lftcllp.com>, Theresa Troupson <ttroupson@lftcllp.com>, Amir Kaltgrad <akaltgrad@lftcllp.com>, Jason Sunshine <jsunshine@lftcllp.com>, Local KAF. Counsel <kaf@msf-law.com>, Local MS. Counsel <ms@msf-law.com>, Stacey Ashby <sma@msf-law.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>, Hudson, Esra <EHudson@manatt.com>, Stephanie Roeser (<SRoeser@manatt.com>) <SRoeser@manatt.com>, Nathan, Aaron E. <ANathan@willkie.com>, Matthew F. Bruno (<MBruno@manatt.com>) <MBruno@manatt.com>, Moses, Sarah <SMoses@manatt.com>, Taustine, Melissa <MTaustine@willkie.com>, Climaco, Katelyn <KClimaco@manatt.com>, Armani, Sareen <SArmani@manatt.com>

Subject: Re: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

Thanks, we agree to exchange exhibit lists via excel today. We also agree to the extended schedule on voir dire that you have proposed. We will get back to you shortly about the Daubert page limits.

Best,
Alice

From: Connolly, Michaela <MConnolly@willkie.com>

Date: Friday, March 20, 2026 at 3:24 PM

To: Bender, Kristin <KBender@willkie.com>, Alice Buttrick <abuttrick@shapiroarato.com>, Bryan Freedman <bfreedman@lftcllp.com>, Ellyn Garofalo <egarofalo@lftcllp.com>, Alexandra Shapiro <ashapiro@shapiroarato.com>, Jonathan Bach <jbach@shapiroarato.com>, Kim Zeldin <kzeldin@lftcllp.com>, Mitra Ahouraian <mitra@ahouraianlaw.com>, Summer Benson <sbenson@lftcllp.com>, Theresa Troupson <ttroupson@lftcllp.com>, Amir Kaltgrad <akaltgrad@lftcllp.com>, Jason Sunshine <jsunshine@lftcllp.com>, Local KAF. Counsel <kaf@msf-law.com>, Local MS. Counsel <ms@msf-law.com>, Stacey Ashby <sma@msf-law.com>

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Subject: RE: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

Alice, all,

In advance of today's exhibit list exchange, please confirm whether Defendants are amenable to exchanging copies of the initial exhibit lists in excel. We propose doing so to streamline the addition of objections.

We also propose a slight adjustment to the schedule concerning voir dire questions. Please confirm if you consent to the below deadlines.

- March 26 – Plaintiff proposes voir dire questions
- March 31 – Defendants circulate revisions, additions, objections to voir dire
- April 2 – Plaintiff proposes revisions and notes objections
- April 3 – File

Finally, please let us know if you agree to the Daubert proposal we circulated on Tuesday.

Best,
Michaela

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Pronouns: she, her, hers

From: Bender, Kristin <KBender@willkie.com>

Sent: Tuesday, March 17, 2026 5:10 PM

To: Alice Buttrick <abuttrick@shapiroarato.com>; Bryan Freedman <bfreedman@lftcllp.com>; Ellyn Garofalo <egarofalo@lftcllp.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; Jonathan Bach <jbach@shapiroarato.com>; Kim Zeldin <kzeldin@lftcllp.com>; Mitra Ahouraian <mitra@ahouraianlaw.com>; Summer Benson <sbenson@lftcllp.com>; Theresa Troupson <ttroupson@lftcllp.com>; Amir Kaltgrad <akaltgrad@lftcllp.com>; Jason Sunshine <jsunshine@lftcllp.com>; Local KAF. Counsel <kaf@msf-law.com>; Local MS. Counsel <ms@msf-law.com>; Stacey Ashby <sma@msf-law.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Hudson, Esra <EHudson@manatt.com>; Stephanie Roeser <SRoeser@manatt.com> <SRoeser@manatt.com>; Nathan, Aaron E. <ANathan@willkie.com>; Matthew F. Bruno <MBruno@manatt.com> <MBruno@manatt.com>; Moses, Sarah <SMoses@manatt.com>; Connolly, Michaela <MConnolly@willkie.com>; Taustine, Melissa <MTaustine@willkie.com>; Climaco, Katelyn <KCLimaco@manatt.com>; Armani, Sareen <SArmani@manatt.com>

Subject: RE: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

Thanks, Alice.

I had understood from our call that Defendants would continue to honor the pre-extension

exchange deadline for materials, including jury instructions, that had already been provided by Ms. Lively under the parties' earlier agreement. That said, we do agree that the parties' draft exchanges are not final and we will not insist on receiving jury instructions prior to Defendants' new selected date of March 23.

With respect to MILs, we are fine with that. As to Dauberts, we are amenable to 20 pages per expert with the understanding that (1) any motion may exceed that page limit so long as the total number of pages across each side's Daubert motions does not exceed: the amount of experts addressed x 20 pages, and (2) oppositions will be subject to the same approach on page limits.

Let us know if that works.

-Kristin

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From: Alice Buttrick <abuttrick@shapiroarato.com>

Sent: Tuesday, March 17, 2026 2:30 PM

To: Bender, Kristin <KBender@willkie.com>; Bryan Freedman <bfreedman@lftcllp.com>; Ellyn Garofalo <egarofalo@lftcllp.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; Jonathan Bach <jbach@shapiroarato.com>; Kim Zeldin <kzeldin@lftcllp.com>; Mitra Ahouraian <mitra@ahouraianlaw.com>; Summer Benson <sbenson@lftcllp.com>; Theresa Troupson <ttroupson@lftcllp.com>; Amir Kaltgrad <akaltgrad@lftcllp.com>; Jason Sunshine <jsunshine@lftcllp.com>; Local KAF. Counsel <kaf@msf-law.com>; Local MS. Counsel <ms@msf-law.com>; Stacey Ashby <sma@msf-law.com>

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Subject: Re: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

*** EXTERNAL EMAIL ***

Thanks, Kristin. We don't agree that the exchange of objections on jury instructions needs to be moved up. Again, much depends on the pending motions, and the parties will have further opportunities to refine and revise the jury instructions during the trial.

With respect to page limits for MILs and Dauberts, we continue to maintain our original proposal—no page limits for MILs, other than Dauberts, and an aggregate 15-page-per-expert limit for Dauberts—is reasonable and fair. To clarify, we don't propose that the discussion of a given expert be strictly limited to 15 pages in every case: if Lively wanted to Daubert three experts, for instance, she could allocate the 45 pages however she would like among those experts. But it does not make sense to have a blanket 75-page limit for each side, given that Lively has offered more experts than the Wayfarer Parties.

Best,
Alice

From: Bender, Kristin <KBender@willkie.com>

Date: Saturday, March 14, 2026 at 12:17 PM

To: Alice Buttrick <abuttrick@shapiroarato.com>, Bryan Freedman <bfreedman@lftcllp.com>, Ellyn Garofalo <egarofalo@lftcllp.com>, Alexandra Shapiro <ashapiro@shapiroarato.com>, Jonathan Bach <jbach@shapiroarato.com>, Kim Zeldin <kzeldin@lftcllp.com>, Mitra Ahouraian <mitra@ahouraianlaw.com>, Summer Benson <sbenson@lftcllp.com>, Theresa Troupson <ttroupson@lftcllp.com>, Amir Kaltgrad <akaltgrad@lftcllp.com>, Jason Sunshine <jsunshine@lftcllp.com>, Local KAF. Counsel <kaf@msf-law.com>, Local MS. Counsel <ms@msf-law.com>, Stacey Ashby <sma@msf-law.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>, Hudson, Esra <EHudson@manatt.com>, Stephanie Roeser (<SRoeser@manatt.com>) <SRoeser@manatt.com>, Nathan, Aaron E. <ANathan@willkie.com>, Matthew F. Bruno (<MBruno@manatt.com>) <MBruno@manatt.com>, Moses, Sarah <SMoses@manatt.com>, Connolly, Michaela <MConnolly@willkie.com>, Taustine, Melissa <MTaustine@willkie.com>, Climaco, Katelyn <KClimaco@manatt.com>, Armani, Sareen <SArmani@manatt.com>

Subject: RE: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions
Hi Alice,

We are largely amenable to this schedule – thanks for putting it together. However, let's please move up Defendants' return exchange of the jury instructions, to March 18. We provided Plaintiff's first cut of draft jury instructions before the parties negotiated and received extensions, so I believe we had discussed maintaining the original deadline for that—and March 18 gives two additional days. March 18 will also allow for a window where we are able to reconcile positions and identify differences before the parties turn to explanatory proposals.

As to your proposal on page limits, we are amenable to allocating 15 pages per motion in limine (for opening and response filings) and agree that may be generous in any event. For Dauberts, we believe that it would be beneficial to have a page limit overall rather than per-expert. This will provide space to address all experts the parties wish to address, while avoiding arbitrary

limitations for experts who are differently situated. On that front, we think 75 pages is appropriate, but please let us know if there is a different page limit that you have in mind.

As to exhibits/objections after the JPTO date: the parties should have an opportunity prior to trial to see the actual stamped exhibits on the exhibit list and pose objections, if any, as to the actual physical copies of exhibits.

Thanks,
KB

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From: Alice Buttrick <abuttrick@shapiroarato.com>

Sent: Wednesday, March 11, 2026 5:55 PM

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Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Hudson, Esra <EHudson@manatt.com>; Stephanie Roeser <SRoeser@manatt.com>; Nathan, Aaron E. <ANathan@willkie.com>; Matthew F. Bruno <MBruno@manatt.com>; Moses, Sarah <SMoses@manatt.com>; Connolly, Michaela <MConnolly@willkie.com>; Taustine, Melissa <MTaustine@willkie.com>; Climaco, Katelyn <KClimaco@manatt.com>; Armani, Sareen <SArmani@manatt.com>

Subject: Re: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

*** EXTERNAL EMAIL ***

Kristin and team,

Now that the Court has granted an extension, we wanted to confirm that the current exchange schedule is as follows below. We also noted that in previous versions of the proposed schedule, you have suggested two dates after the date to file the JPTO, for exchanging copies of proposed trial exhibits and “additional objections” — can you let us know what you have in mind there?

Separately, please let us know your thoughts on our proposal concerning page lengths for the Dauberts and other MILs.

Thanks,
Alice

Mar. 20 – Initial Witness Lists
Mar. 20 – Initial Exhibit lists: Bates exhibits and non-Bates exhibits
Mar. 20 – Affirmative Deposition Designations
Mar. 20 – Plaintiffs propose Voir Dire draft
Mar. 23 – Plaintiff proposed final JPTO (pending final designations)
Mar. 23 – Defendants provide revised Jury Instructions, Verdict Forms
Mar. 23 – Plaintiff further edits on Joint Summary of Case
Mar. 25 – Defendants' revisions, additions, objections to Voir Dire
Mar. 27 – Counter-designations and objections to Depo Designations
Mar. 27 – Exchange revised Exhibit Lists (noting differences) and objections
Mar. 27 – Plaintiff revisions, objections to Voir Dire
Mar. 27 – Defendants' further edits to Joint Summary of Case
Mar. 27 – Revised Witness Lists
Mar. 30 – Defendants' proposed Final JPTO (pending final designations)
Mar. 30 – Parties exchange explanatory proposals on remaining disputed Jury Instructions, Verdict Forms
Mar. 31 – Meet and Confer re Voir Dire disagreements
April 1 – Final Exhibit Lists (noting differences), designations, witness lists, and objections
April 1 – Plaintiff circulates merged copy of Joint Summary of Case
April 2 – Plaintiff circulates merged copy of JPTO
April 2 – Plaintiff circulates merged copy of jury instructions, verdict forms
April 2 – Final Witness Lists
April 2 – Objections to counter-designations and counter-counter-designations
April 2 – Remaining Objections to newly added exhibits
April 3– Parties to approve JPTO by @ 3 PM
April 3 – Plaintiff files JPTO

From: Bender, Kristin <KBender@willkie.com>

Date: Tuesday, March 10, 2026 at 3:39 PM

To: Alice Buttrick <abuttrick@shapiroarato.com>, Bryan Freedman <bfreedman@lftcllp.com>, Ellyn Garofalo <egarofalo@lftcllp.com>, Alexandra Shapiro <ashapiro@shapiroarato.com>, Jonathan Bach <jbach@shapiroarato.com>, Kim Zeldin <kzeldin@lftcllp.com>, Mitra Ahouraian <mitra@ahouraianlaw.com>, Summer Benson <sbenson@lftcllp.com>, Theresa Troupson <ttroupson@lftcllp.com>, Amir Kaltgrad <akaltgrad@lftcllp.com>, Jason Sunshine <jsunshine@lftcllp.com>, Local KAF. Counsel <kaf@msf-law.com>, Local MS. Counsel <ms@msf-law.com>, Stacey Ashby <sma@msf-law.com>

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Subject: RE: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions
Hi Alice,

Thanks. We are aligned on the aims described below. We agree to extend the current deadlines by a week, including the exchange on Friday and the JPTO deadline currently set for March 27 (moving to April 3). We do not agree to a floating deadline. If Defendants file a motion requesting the extension along the lines you've described, please indicate our position and counterproposal.

Best,
KB

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From: Alice Buttrick <abuttrick@shapiroarato.com>

Sent: Tuesday, March 10, 2026 2:03 PM

To: Bender, Kristin <KBender@willkie.com>; Bryan Freedman <bfreedman@lftcllp.com>; Ellyn Garofalo <egarofalo@lftcllp.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; Jonathan Bach <jbach@shapiroarato.com>; Kim Zeldin <kzeldin@lftcllp.com>; Mitra Ahouraian <mitra@ahouraianlaw.com>; Summer Benson <sbenson@lftcllp.com>; Theresa Troupson <ttroupson@lftcllp.com>; Amir Kaltgrad <akaltgrad@lftcllp.com>; Jason Sunshine <jsunshine@lftcllp.com>; Local KAF. Counsel <kaf@msf-law.com>; Local MS. Counsel <ms@msf-law.com>; Stacey Ashby <sma@msf-law.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Hudson, Esra <EHudson@manatt.com>; Stephanie Roeser (SRoeser@manatt.com) <SRoeser@manatt.com>; Nathan, Aaron E. <ANathan@willkie.com>; Matthew F. Bruno (MBruno@manatt.com) <MBruno@manatt.com>; Moses, Sarah <SMoses@manatt.com>; Connolly, Michaela <MConnolly@willkie.com>; Taustine, Melissa <MTaustine@willkie.com>; Climaco, Katelyn <KClimaco@manatt.com>; Armani, Sareen <SArmani@manatt.com>

Subject: Re: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

*** EXTERNAL EMAIL ***

Kristin and team,

Please let your position on the below by 6 PM EST today.

Thank you,
Alice

From: Alice Buttrick <abuttrick@shapiroarato.com>

Date: Monday, March 9, 2026 at 3:16 PM

To: Bender, Kristin <KBender@willkie.com>, Bryan Freedman <bfreedman@lftcllp.com>, Ellyn Garofalo <egarofalo@lftcllp.com>, Alexandra Shapiro <ashapiro@shapiroarato.com>, Jonathan Bach <jbach@shapiroarato.com>, Kim Zeldin <kzeldin@lftcllp.com>, Mitra Ahouraian <mitra@ahouraianlaw.com>, Summer Benson <sbenson@lftcllp.com>, Theresa Troupson <ttroupson@lftcllp.com>, Amir Kaltgrad <akaltgrad@lftcllp.com>, Jason Sunshine <jsunshine@lftcllp.com>, Local KAF. Counsel <kaf@msf-law.com>, Local MS. Counsel <ms@msf-law.com>, Stacey Ashby <sma@msf-law.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>, Hudson, Esra <EHudson@manatt.com>, Stephanie Roeser (<SRoeser@manatt.com>) <SRoeser@manatt.com>, Nathan, Aaron E. <ANathan@willkie.com>, Matthew F. Bruno (<MBruno@manatt.com>) <MBruno@manatt.com>, Moses, Sarah <SMoses@manatt.com>, Connolly, Michaela <MConnolly@willkie.com>, Taustine, Melissa <MTaustine@willkie.com>, Climaco, Katelyn <KClimaco@manatt.com>, Armani, Sareen <SArmani@manatt.com>

Subject: Re: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions
Counsel:

As discussed in prior correspondence, we believe that at this point it makes sense to seek another brief adjournment of the deadline for pretrial deliverables (motions as well as exhibits and designations), given that we continue to await the Court's rulings on the pending motions.

This case has many moving parts, some of which may or may not remain, and without judicial guidance it is difficult to anticipate the scope of the trial, which claims will continue to be at issue, or how certain issues may be affected. The Court no doubt wants the parties to continue to move the case expeditiously, and we share that goal. At the same time, the Court expects the parties to benefit from its guidance and has noted that its rulings will help the parties determine which motions in limine to file (see December 9 transcript). We think it makes sense to await such guidance before preparing large omnibus submissions that may well have to be revised; similarly, it makes sense to await such guidance before filing Daubert motions and motions in limine that may be mooted by the Court's rulings. All parties are served by focusing the issues. Accordingly, we plan to seek an adjournment that would set the submissions deadline 21 days from the issuance of the Court's rulings on the pending motions. Please let us know if you consent.

Thanks,
Alice

From: Alice Buttrick <abuttrick@shapiroarato.com>

Date: Friday, March 6, 2026 at 9:06 AM

To: Bender, Kristin <KBender@willkie.com>, Bryan Freedman <bfreedman@lftcllp.com>, Ellyn Garofalo <egarofalo@lftcllp.com>, Alexandra Shapiro <ashapiro@shapiroarato.com>, Jonathan Bach <jbach@shapiroarato.com>, Kim Zeldin <kzeldin@lftcllp.com>, Mitra Ahouraian <mitra@ahouraianlaw.com>, Summer Benson <sbenson@lftcllp.com>, Theresa Troupson <ttroupson@lftcllp.com>, Amir Kaltgrad <akaltgrad@lftcllp.com>, Jason Sunshine <jsunshine@lftcllp.com>, Local KAF. Counsel <kaf@msf-law.com>, Local MS. Counsel <ms@msf-law.com>, Stacey Ashby <sma@msf-law.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>, Hudson, Esra <EHudson@manatt.com>, Stephanie Roeser (<SRoeser@manatt.com>) <SRoeser@manatt.com>, Nathan, Aaron E. <ANathan@willkie.com>, Matthew F. Bruno (<MBruno@manatt.com>) <MBruno@manatt.com>, Moses, Sarah <SMoses@manatt.com>, Connolly, Michaela <MConnolly@willkie.com>, Taustine, Melissa <MTaustine@willkie.com>, Climaco, Katelyn <KClimaco@manatt.com>, Armani, Sareen <SArmani@manatt.com>

Subject: Re: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions
Thanks, Kristin. We note your comment about things being unpredictable at present. We can revisit the question of the JPO/motions deadline depending on how things progress in the next few days. Our goal is to have the benefit of the Court's rulings and guidance, and to gear the schedule toward focusing the issues for the Court as best possible.

And in the meantime, I'm glad to have additional logistical conversations any time.

Best,

Alice

From: Bender, Kristin <KBender@willkie.com>

Date: Thursday, March 5, 2026 at 11:20 AM

To: Alice Buttrick <abuttrick@shapiroarato.com>, Bryan Freedman <bfreedman@lftcllp.com>, Ellyn Garofalo <egarofalo@lftcllp.com>, Alexandra Shapiro <ashapiro@shapiroarato.com>, Jonathan Bach <jbach@shapiroarato.com>, Kim Zeldin <kzeldin@lftcllp.com>, Mitra Ahouraian <mitra@ahouraianlaw.com>, Summer Benson <sbenson@lftcllp.com>, Theresa Troupson <ttroupson@lftcllp.com>, Amir Kaltgrad <akaltgrad@lftcllp.com>, Jason Sunshine <jsunshine@lftcllp.com>, Local KAF. Counsel <kaf@msf-law.com>, Local MS. Counsel <ms@msf-law.com>, Stacey Ashby <sma@msf-law.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>, Hudson, Esra <EHudson@manatt.com>, Stephanie Roeser (<SRoeser@manatt.com>) <SRoeser@manatt.com>, Nathan, Aaron E. <ANathan@willkie.com>, Matthew F. Bruno (<MBruno@manatt.com>) <MBruno@manatt.com>,<

Moses, Sarah <SMoses@manatt.com>, Connolly, Michaela <MConnolly@willkie.com>, Taustine, Melissa <MTaustine@willkie.com>, Climaco, Katelyn <KClimaco@manatt.com>, Armani, Sareen <SArmani@manatt.com>

Subject: RE: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

Hi Alice,

We agree to push the initial exchange of witness lists, designations, and exhibit lists to 3/13, with related exchanges of objections on 3/20, and final exchanges on 3/25. We understand that the parties will keep the current agreed-to dates for exchanging the JPTO, joint summary, jury instructions, verdict form, and voir dire. We are not presently amenable to seeking a floating deadline from the Court that keys from issuance of the MSJ order. Although we appreciate your suggestion, we believe that approach may prove too unpredictable at present.

Regarding the administrative/logistical issues, the numbering that you proposed with respect to the exhibit list is fine with us. We will plan to work from a template similar to what we proposed as to designations, except use one word document per witness and no agreed-upon key for objections. The parties will continue to contemplate how we can reach agreement on lengthy documents such as those with irrelevant attachments, etc. We are available to discuss any other issues that arise on an ongoing basis to keep things as efficient and streamlined as possible.

Thanks,
KB

Kristin Bender

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1875 K Street, N.W. | Washington, DC 20006-1238

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kbender@willkie.com | [vCard](#) | [www.willkie.com bio](http://www.willkie.com/bio)

From: Alice Buttrick <abuttrick@shapiroarato.com>

Sent: Wednesday, March 4, 2026 3:27 PM

To: Bender, Kristin <KBender@willkie.com>; Bryan Freedman <bfreedman@lftcllp.com>; Ellyn Garofalo <egarofalo@lftcllp.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; Jonathan Bach <jbach@shapiroarato.com>; Kim Zeldin <kzeldin@lftcllp.com>; Mitra Ahouraian <mitra@ahouraianlaw.com>; Summer Benson <sbenson@lftcllp.com>; Theresa Troupson <ttroupson@lftcllp.com>; Amir Kaltgrad <akaltgrad@lftcllp.com>; Jason Sunshine <jsunshine@lftcllp.com>; Local KAF. Counsel <kaf@msf-law.com>; Local MS. Counsel <ms@msf-law.com>; Stacey Ashby <sma@msf-law.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Hudson, Esra <EHudson@manatt.com>; Stephanie Roeser <SRoeser@manatt.com> <SRoeser@manatt.com>; Nathan, Aaron E. <ANathan@willkie.com>; Matthew F. Bruno <MBruno@manatt.com> <MBruno@manatt.com>; Moses, Sarah <SMoses@manatt.com>; Connolly, Michaela <MConnolly@willkie.com>; Taustine, Melissa <MTaustine@willkie.com>; Climaco, Katelyn <KClimaco@manatt.com>; Armani, Sareen <SArmani@manatt.com>

Subject: Re: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions



*** EXTERNAL EMAIL ***

Thanks, Kristin. I'm available at 4:30 ET. We can use my dial in:

(267) 930-4000
Code: 818 880 111

Alice

From: Bender, Kristin <KBender@willkie.com>
Date: Wednesday, March 4, 2026 at 3:08 PM
To: Alice Buttrick <abuttrick@shapiroarato.com>, Bryan Freedman <bfreedman@lftcllp.com>, Ellyn Garofalo <egarofalo@lftcllp.com>, Alexandra Shapiro <ashapiro@shapiroarato.com>, Jonathan Bach <jbach@shapiroarato.com>, Kim Zeldin <kzeldin@lftcllp.com>, Mitra Ahouraian <mitra@ahouraianlaw.com>, Summer Benson <sbenson@lftcllp.com>, Theresa Troupson <ttroupson@lftcllp.com>, Amir Kaltgrad <akaltgrad@lftcllp.com>, Jason Sunshine <jsunshine@lftcllp.com>, Local KAF. Counsel <kaf@msf-law.com>, Local MS. Counsel <ms@msf-law.com>, Stacey Ashby <sma@msf-law.com>
Cc: Gottlieb, Michael <MGottlieb@willkie.com>, Hudson, Esra <EHudson@manatt.com>, Stephanie Roeser (<SRoeser@manatt.com>) <SRoeser@manatt.com>, Nathan, Aaron E. <ANathan@willkie.com>, Matthew F. Bruno (<MBruno@manatt.com>) <MBruno@manatt.com>, Moses, Sarah <SMoses@manatt.com>, Connolly, Michaela <MConnolly@willkie.com>, Taustine, Melissa <MTaustine@willkie.com>, Climaco, Katelyn <KClimaco@manatt.com>, Armani, Sareen <SArmani@manatt.com>
Subject: RE: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions
Hi Alice,

Happy to have a call. I am available today from 3:30-6 est. Please let me know when works.

Best,
KB

Kristin Bender
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From: Alice Buttrick <abuttrick@shapiroarato.com>
Sent: Wednesday, March 4, 2026 2:40 PM
To: Bender, Kristin <KBender@willkie.com>; Bryan Freedman <bfreedman@lftcllp.com>; Ellyn Garofalo <egarofalo@lftcllp.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; Jonathan Bach

<jbach@shapiroarato.com>; Kim Zeldin <kzeldin@lftcllp.com>; Mitra Ahouraian <mitra@ahouraianlaw.com>; Summer Benson <sbenson@lftcllp.com>; Theresa Troupson <ttroupson@lftcllp.com>; Amir Kaltgrad <akaltgrad@lftcllp.com>; Jason Sunshine <jsunshine@lftcllp.com>; Local KAF. Counsel <kaf@msf-law.com>; Local MS. Counsel <ms@msf-law.com>; Stacey Ashby <sma@msf-law.com>

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Subject: Re: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

*** EXTERNAL EMAIL ***

Kristin:

We agree the exchange dates should be moved back, especially because we do not yet have the benefit of the Court's rulings. Should we have call to discuss workable deadlines? Separately, can we also discuss the possibility of approaching the Court to adjourn its deadlines for the JPO and motions, in the event that there are no imminent rulings? (We can discuss the deposition templates separately or during the same call.)

Best,
Alice

From: Bender, Kristin <KBender@willkie.com>

Date: Wednesday, March 4, 2026 at 1:02 PM

To: Bryan Freedman <bfreedman@lftcllp.com>, Ellyn Garofalo <egarofalo@lftcllp.com>, Alexandra Shapiro <ashapiro@shapiroarato.com>, Jonathan Bach <jbach@shapiroarato.com>, Alice Buttrick <abuttrick@shapiroarato.com>, Kim Zeldin <kzeldin@lftcllp.com>, Mitra Ahouraian <mitra@ahouraianlaw.com>, Summer Benson <sbenson@lftcllp.com>, Theresa Troupson <ttroupson@lftcllp.com>, Amir Kaltgrad <akaltgrad@lftcllp.com>, Jason Sunshine <jsunshine@lftcllp.com>, Local KAF. Counsel <kaf@msf-law.com>, Local MS. Counsel <ms@msf-law.com>, Stacey Ashby <sma@msf-law.com>

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Subject: RE: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

Alice,

Are Defendants amenable to pushing the exchange of the exhibit list from Friday (3/6) to Monday (3/9)?

Additionally, given the potential overlap between the exhibit list and deposition designations, we propose pushing the current exchange of affirmative designations from Friday (3/6) to Wednesday (3/11). That will provide a week for the parties to propose counter-designations and objections. Please let us know if you agree.

Last, please let us know if Defendants agree to use the template for deposition designations and objections that we proposed last Friday, or have another suggestion for maintaining uniformity in the approach to exchanges.

Thanks,
KB

Kristin Bender

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From: Bender, Kristin <KBender@willkie.com>

Sent: Friday, February 27, 2026 4:04 PM

To: Bryan Freedman <bfreedman@lftcllp.com>; Ellyn Garofalo <egarofalo@lftcllp.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; Jonathan Bach <jbach@shapiroarato.com>; Alice Buttrick <abuttrick@shapiroarato.com>; Kim Zeldin <kzeldin@lftcllp.com>

Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Hudson, Esra <EHudson@manatt.com>; Stephanie Roeser <SRoeser@manatt.com>; Nathan, Aaron E. <ANathan@willkie.com>; Matthew F. Bruno <MBruno@manatt.com>; Moses, Sarah <SMoses@manatt.com>; Connolly, Michaela <MConnolly@willkie.com>; Taustine, Melissa <MTaustine@willkie.com>; Climaco, Katelyn <KClimaco@manatt.com>

Subject: Lively v. Wayfarer Studios, LLC et al., 24-cv-10049 - Pretrial Submissions

Alice, all,

Please see attached for plaintiff's draft of the JPTO and joint summary of the case embedded. The witness list referenced in the JPTO shell is forthcoming next week.

Additionally, we pulled together a deposition designations template to make it easier to review and compile for the Court. Are Defendants amenable to using this format along with the highlighted transcripts?

Thanks,
KB

Kristin Bender

Willkie Farr & Gallagher LLP

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