

# WILLKIE FARR & GALLAGHER<sup>LLP</sup>

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February 10, 2025

## VIA ECF

The Honorable Lewis J. Liman  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007

Re: *Lively v. Wayfarer Studios LLC et al.*, No. 1:24-cv-10049-LJL; *Wayfarer Studios LLC et al. v. Lively et al.*, No. 1:25-cv-00449-LJL

Dear Judge Liman:

Pursuant to Local Rule 7.1(d) and Paragraphs 1(C) and (D) of the Court's Individual Rules and Practices, Plaintiff Blake Lively respectfully moves for an extension of time to file her amended complaint to **March 5, 2025**. Defendants Blake Lively and Ryan Reynolds additionally seek clarification from the Court that the deadline for any motion to dismiss is March 20, 2025, or alternatively, move to extend the deadline for the time to file any motion to dismiss to **March 20, 2025**. Counsel discussed the proposed relief sought in this letter with counsel for the Wayfarer Parties on February 7, 2025, and additionally followed up requesting a position on February 10, 2025—as of the time of this filing, counsel for the Wayfarer Parties have not indicated whether or not they consent. As addressed herein, the deadlines proposed above would appropriately align the parties' deadlines across the cases and ensure that they proceed on a concurrent track. Doing so is also warranted given that the Wayfarer Parties asked for and have received extensions both before and after the conference with the Court on February 3, 2025. In particular, in addition to requesting and receiving an extension to answer or file a responsive motion to the Lively Complaint until March 20, 2025, Dkt. No. 44, the Wayfarer Parties requested and were granted an extension to respond to the related Jones Complaint until March 20, 2025. *See Jones et al. v. Abel et al.*, 25-cv-779-LJL, Dkt. No. 23.

February 14, 2025, is the original (default) deadline for Ms. Lively to file her amended complaint as a matter of course in relation to the responsive pleadings of Wayfarer Studios LLC, It Ends With Us Movie LLC, and The Agency Group PR LLC. *See* Dkt. Nos. 35-37 (answers filed January 24, 2025); Fed. R. Civ. P. 15(a)(1)(B) (21 days after service of responsive pleading).<sup>1</sup> This is Ms. Lively's first request for an extension of time to file her amended complaint as a matter of

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<sup>1</sup> Docket numbers refer to 24-cv-10049-LJL except as otherwise indicated.

course, and this is the Lively/Reynolds Parties' first request for an extension as to the motion to dismiss deadline. The parties' next appearance is scheduled for October 21, 2025.

Ms. Lively respectfully submits that an extension for filing an amended complaint as a matter of course to March 5, 2025 is warranted. The majority of the Wayfarer Defendants have not submitted responsive pleadings, and are not required to file a responsive motion until March 20, 2025, after having received an extension to that date. *See* Dkt. No. 44. The modest extension will allow for Ms. Lively to address the extensive new facts and claims at issue in this litigation. Such an extension is also warranted given that, after counsel for Ms. Lively informed the Court on February 3, 2025, that she intended to amend her complaint to add additional parties and claims, one of those intended parties, Jed Wallace, along with his company Street Relations, Inc., filed an anticipatory, and meritless, 10-page complaint in federal district court in Texas regarding issues that substantially overlap with the issues in this litigation. *See Wallace et al. v. Lively*, 25-cv-00163 (W.D. Tex. Feb. 4, 2025).<sup>2</sup> The additional time requested will allow Ms. Lively to address properly the procedural issues arising from the unmeritorious lawsuit, as well.

With respect to the deadline for any motions to dismiss, the Federal Rules provide Ms. Lively and Ms. Reynolds until March 20, 2025, to respond to the Wayfarer Parties' amended complaint. *See* Fed. R. Civ. P. 15(a)(3) ("Unless the court orders otherwise, any required response to an amended pleading must be made within the time remaining to respond to the original pleading ...."); 25-cv-449-LJL, Dkt. Nos. 13-14 (Lively/Reynolds deadlines set at March 20, 2025).<sup>3</sup> However, given that the Court and counsel for Ms. Lively and Mr. Reynolds referenced both the "standard" deadlines and a deadline of 21 days during the pre-trial conference on February 3, 2025, counsel seeks clarification from the Court that the deadline for any motions to dismiss by Ms. Lively and Mr. Reynolds remains March 20, 2025. *See* Dkt. No. 63, Tr. 16:15-19. In the alternative, to the extent the deadline was moved up by the Court to February 21, 2025 (i.e., 21 days after the Wayfarer parties' amended complaint), Ms. Lively and Mr. Reynolds request that this Court to return the deadline for such motions to dismiss to March 20, 2025. Such a deadline is warranted to permit Ms. Lively and Mr. Reynolds to pursue discovery while also filing their motions on a schedule aligned with the Wayfarer Defendants.

Given that the Wayfarer Parties have until March 20, 2025 to move to dismiss the Lively Complaint, given that the Court-ordered schedule permits amendment more generally until April 18, 2025, and given that the above-captioned actions were consolidated and would benefit from a parallel schedule for the purposes of judicial economy, Ms. Lively and Mr. Reynolds respectfully submit that aligning the aforementioned deadlines to proceed on a concurrent track is warranted and would neither cause prejudice to the parties or delay to the current litigation schedule. *See* Dkt. No. 58. Accordingly, Ms. Lively respectfully requests an extension of time until March 5, 2025, to file an amended complaint as of course. Ms. Lively and Mr. Reynolds further seek confirmation

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<sup>2</sup> Mr. Wallace's filing presents serious issues with respect to jurisdiction, venue, and claims, and was motivated by, in Mr. Wallace's counsel's own words, the fact that Ms. Lively had "indicated she intended to name him in yet another lawsuit." Dominic Patten, *Blake Lively's Team Shrugs Off \$7M Defamation Suit From Alleged Smear Campaign Architect; Jed Wallace Says Claims Have Cost Him Big Bucks*, Deadline (Feb. 5, 2025), <https://deadline.com/2025/02/blake-lively-defamation-suit-reaction-jed-wallace-1236279581/>.

<sup>3</sup> The Wayfarer Parties acknowledged this March 20, 2025 deadline in their recent representations to this Court. *See Jones et al. v. Abel et al.*, 25-cv-779-LJL, Dkt. No. 22 at 1.

that their deadline to file any motion to dismiss is March 20, 2025, or alternatively request that the Court extend their deadline to March 20, 2025.

Respectfully submitted,

s/ Michael J. Gottlieb

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