

EXHIBIT 1

From: Levy, Joshua S.
Sent: Monday, August 12, 2024 9:19 AM
To: Daniel Herrera; Palmeri, Vincent; Cheney, Alexander; Lombardi, Stuart; Morris, Daniel L.; Hanley, Katherine; Morton, Adriana
Cc: Jorge L. Piedra; Dwayne Robinson; Michael Lorigas; Simon S. Grille; Farola Saint-Remy
Subject: RE: Benworth Capital Partners LLC v. Oto Analytics, LLC (N.D. Cal.) *ETC*
Attachments: Benworth v. Oto Analytics - Waiver of Service of Summons JSL.docx

Daniel,

Thank you for your email. We accept service of Benworth's Petition to Vacate effective today. The executed waiver form is attached. We also consent to your motion to relate; you can file the stipulation with my /s/ signature. As we've discussed before, a Petition to Vacate under the FAA is a motion, not a pleading. However, your Petition to Vacate does not comply with the Local Rules regarding motions, including page limits, proposed order, and affidavit. Please re-file your Petition to Vacate in compliance with the Local Rules.

Regards,
 Josh

From: Daniel Herrera <dherrera@kttlaw.com>
Sent: Thursday, August 8, 2024 3:28 PM
To: Levy, Joshua S. <JLevy@willkie.com>; Palmeri, Vincent <VPalmeri@willkie.com>; Cheney, Alexander <ACheney@willkie.com>; Lombardi, Stuart <slombardi@willkie.com>; Morris, Daniel L. <DMorris@willkie.com>; Hanley, Katherine <KHanley@willkie.com>; Morton, Adriana <AMorton@willkie.com>
Cc: Jorge L. Piedra <jpiedra@kttlaw.com>; Dwayne Robinson <d robinson@kttlaw.com>; Michael Lorigas <mlorigas@kttlaw.com>; Simon S. Grille <sgrille@girardsharp.com>; Farola Saint-Remy <fsr@kttlaw.com>
Subject: Benworth Capital Partners LLC v. Oto Analytics, LLC (N.D. Cal.)

*** EXTERNAL EMAIL ***

Counsel,

Benworth filed a Petition to Vacate the Final Arbitration Award last night in the Northern District of California; the public version of the petition is attached. The link below includes: (1) certificate of interested parties, (2) admin motion to seal, (3) declaration iso motion to seal, (4) related proposed order, (5) unredacted petition and appendices that were filed under seal, (6) a copy of the Order Setting Initial Case Management Conference and ADR deadlines, and (7) Judge Beeler's Standing Order. I will follow up with the password to the link in another email.

 [Benworth Petition to Vacate](#)

Pursuant to the parties' prior agreement to waive service, please execute the attached waiver.

Also attached is a motion to relate 3:24-cv-4840 (the vacatur action) with 3:24-cv-3975 (the confirmation action), along with a stipulation and related proposed order. If this is agreeable to you, please let me know and we will get that on file. Otherwise, please provide redlines.

Best,

DANIEL HERRERA, ESQ.



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Joshua S. Levy

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