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July 18, 2025

VIA ECF

The Honorable Frederic Block
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Kolbert v. Benworth Capital Partners LLC et al.*, Case No. 1:25-cv-00117-FB-VMS

Dear Judge Block:

We represent Defendants Oto Analytics, LLC, f/k/a Oto Analytics, Inc., d/b/a Womply (“Womply”) and Toby Scammell (“Scammell,” and together with Womply, the “Womply Defendants”) in the above-captioned matter. On consent of all parties and pursuant to this Court’s June 18, 2025 Order, we write to notify Your Honor that the parties’ settlement discussions have so far been unsuccessful. The parties have agreed to the following briefing schedule for Defendants’ forthcoming motions to dismiss Plaintiff’s Amended Complaint: opening briefs due on or before August 1, 2025; opposition briefs due on or before September 5, 2025; and reply briefs due on or before September 19, 2025.

Respectfully submitted,

/s/ Alexander L. Cheney