

January 3, 2023

Writer's Direct Contact
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DMaynard@mofo.comThe Honorable Scott S. Harris
Clerk
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543Re: *Pivotal Software, Inc., et al. v. Superior Court of California, City and County of San Francisco, et al.*, No 20-1541

Dear Mr. Harris:

On September 2, 2021, this Court granted the parties' joint motion to remove this case from the oral argument calendar and hold further briefing in abeyance in light of an agreement in principle to settle this putative class action.¹ We write to provide an update to the Court regarding the status of settlement proceedings.


On January 13, 2022, the plaintiffs-respondents filed their motion for preliminary approval of the settlement with the Superior Court. On August 2, 2022, the Superior Court issued an order granting preliminary approval of the parties' settlement. On December 6, 2022, after vacating a final settlement approval hearing that had been scheduled for December 1, the Superior Court issued a tentative ruling requesting supplemental briefing to substantiate plaintiffs-respondents' requests for attorneys' fees and costs. Plaintiffs-respondents' supplemental submission is due January 13, 2023. We do not believe further action by this Court is warranted at this time. We will provide another update in 45 days.

¹ The Superior Court of California is a respondent but has not participated in the proceedings in this Court and did not join the motion. Accordingly, the term "parties" in this letter refers to the petitioners and the remaining respondents.

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Respectfully submitted,



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