

October 6, 2022

Writer's Direct Contact
+1 (202) 887-8740
DMaynard@mofocomThe 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. As we reported in our August 22, 2022 update, the final settlement approval hearing is scheduled for December 1, 2022. 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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THOMAS C. GOLDSTEIN
Counsel of Record
GOLDSTEIN & RUSSELL, P.C.
7475 Wisconsin Ave., Suite 850
Bethesda, MD 20814
(202) 362-0636
tgoldstein@goldsteinrussell.com

THOMAS L. LAUGHLIN
JONATHAN M. ZIMMERMAN
SCOTT+SCOTT ATTORNEYS AT
LAW LLP
230 Park Avenue, 17th Floor
New York, NY 10169

DAVID W. HALL
HEDIN HALL LLP
Four Embarcadero Center Suite 1400
San Francisco, CA 94104

REED R. KATHREIN
HAGENS BERMAN SOBOL
SHAPIRO LLP
715 Hearst Avenue
Suite 202
Berkeley, CA 94710

Counsel for Respondents
Zhung Tran, Alandra Mothorpe, and
Jason Hill

Counsel for Respondents Continued
Below



DEANNE E. MAYNARD
Counsel of Record
JOSEPH R. PALMORE
LENA H. HUGHES
ADAM L. SORENSEN
MORRISON & FOERSTER LLP
2100 L Street, NW
Washington, DC 20037
(202) 887-8740
dmaynard@mofocom

JORDAN ETH
MARK R.S. FOSTER
JAMES R. SIGEL
KAREN LEUNG
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105

Counsel for Petitioners Pivotal
Software, Inc., Robert Mee, Cynthia
Gaylor, Paul Maritz, Michael Dell,
Zane Rowe, Egon Durban, William
D. Green, Marcy S. Klevorn, and
Khözema Z. Shipchandler
(filed on behalf of and with the
consent of counsel for all Petitioners)

Counsel for Petitioners Continued
Below

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STEVE W. BERMAN
HAGENS BERMAN SOBOL
SHAPIRO LLP
1301 Second Avenue
Suite 2000
Seattle, WA 98101

*Counsel for Respondents Zhung Tran,
Alandra Mothorpe, and Jason Hill*

ROMAN MARTINEZ
MELISSA ARBUS SHERRY
ANDREW B. CLUBOK
LATHAM & WATKINS LLP
555 Eleventh Street, NW
Washington, DC 20004

ELIZABETH L. DEELEY
JOSEPH C. HANSEN
LATHAM & WATKINS LLP
505 Montgomery Street
Suite 2000
San Francisco, CA 94111

*Counsel for Petitioners Morgan
Stanley & Co. LLC, Goldman Sachs
& Co. LLC, Citigroup Global
Markets Inc., Merrill Lynch, Pierce,
Fenner & Smith Inc., Barclays
Capital Inc., Credit Suisse Securities
(USA) LLC, RBC Capital Markets,
LLC, UBS Securities
LLC, Wells Fargo Securities LLC,
KeyBanc Capital Markets Inc.,
William Blair & Company, L.L.C.,
Mischler Financial Group, Inc.,
Samuel A. Ramirez & Co., Inc.,
Siebert Cisneros Shank & Co., LLC,
and Williams Capital Group, L.P.
(the latter two, Siebert Williams
Shank & Co., LLC)*

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JOHN L. LATHAM
ANDREW T. SUMNER
ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street
Suite 4900
Atlanta, GA 30309

GIDON M. CAINE
ALSTON & BIRD LLP
1950 University Avenue
Suite 430
East Palo Alto, CA 94303

*Counsel for Petitioner Dell Technologies
Inc.*

cc: Clerk of Court, Superior Court of California, City and County of San Francisco
Counsel for Plaintiffs-Respondents Zhung Tran, Jason Hill, and Alandra Mothorpe