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LATHAM & WATKINS LLP

December 31, 2020

Scott S. Harris
Clerk of the Supreme Court
Supreme Court of the United States
One First Street, NE
Washington, DC 20543

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Re: *Seldin v. Estate of Silverman*, Petition for a Writ of Certiorari filed
December 31, 2020

Dear Mr. Harris:

I am counsel of record for petitioners in the above petition, which seeks review of a Nebraska Supreme Court decision confirming an arbitration award under the Federal Arbitration Act. I am writing to inform the Court that one of the individual petitioners, Millard R. Seldin, passed away on January 24, 2020, while the case was pending before the Nebraska Supreme Court. Petitioners filed a motion before that court to substitute petitioner Scott Seldin—who was already a party—into the litigation as the personal representative of Millard’s estate, but the Nebraska Supreme Court denied the motion as moot following its decision affirming the district court’s judgment. As a result, Millard remains listed as a party to the action and a petitioner in this Court. *See* Pet. at ii & n.*.

Should this Court grant certiorari, petitioners will move to substitute petitioner Scott Seldin for Millard both as the personal representative of Millard’s estate and as the new trustee for petitioner Millard R. Seldin Revocable Trust, dated October 9, 1993. *See State Farm Mut. Auto. Ins. Co. v. Campbell*, 537 U.S. 1042 (2002) (No. 01-1289) (granting respondents’ motion to substitute a party in place of a party who passed away before the grant of certiorari). There is no question of mootness, as all petitioners are liable for the monetary award entered against them in the arbitration and confirmed by the Nebraska courts. *See* Pet. App. 6a, 42a.

I am happy to provide the Court with any other information it may require.

LATHAM & WATKINS^{LLP}

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roman Martinez". The signature is written in a cursive style with a large, stylized initial "R" and "M".

Roman Martinez
of LATHAM & WATKINS LLP
Counsel for Petitioners

cc: Robert L. Lepp
Sean K. McElenney
Counsel for Respondents