



GEORGETOWN LAW

INSTITUTE FOR CONSTITUTIONAL ADVOCACY AND PROTECTION

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

August 25, 2023

Re: *Acheson Hotels, LLC v. Laufer*, No. 22-429

Dear Mr. Harris:

I represent the respondent, Deborah Laufer, in the above-captioned case before this Court. I write to update the Court on developments in other litigation brought by Ms. Laufer. As indicated in Ms. Laufer's Suggestion of Mootness filed July 24, 2023, in conjunction with Ms. Laufer's dismissal of her complaint with prejudice in this case, her attorneys in her other pending cases have sought to dismiss those cases as well.

In *Laufer v. Naranda Hotels, LLC*, the Fourth Circuit granted the parties' joint motion to dismiss the appeal. Order, *Laufer v. Naranda Hotels, LLC*, Case No. 20-02348 (4th Cir. Jul. 26, 2023). The Fourth Circuit declined to vacate its earlier opinion. *Id.* at 2 n.*.

In *Laufer v. Red Door 88, LLC*, and *Laufer v. Campfield Properties, LLC*, the Tenth Circuit denied Ms. Laufer's opposed Motion to Dismiss and Suggestion of Mootness, and left the appeals abated pending this Court's resolution of *Acheson Hotels, LLC v. Laufer*. Order, *Laufer v. Red Door 88, LLC*, Case No. 22-01055 (10th Cir. Aug. 23, 2023); Order, *Laufer v. Campfield Properties, LLC*, Case No. 22-01106 (10th Cir. Aug. 23, 2023).

Finally, in *Laufer v. Arpan LLC*, the Eleventh Circuit granted Ms. Laufer's motion to dismiss the appeal as moot and vacated the panel opinion. Order, *Laufer v. Arpan, LLC*, No. 20-18646 (11th Cir. Aug. 15, 2023). When Ms. Laufer's attorney in *Arpan*

contacted counsel for the defendant hotel, Arpan LLC, to seek its concurrence with Ms. Laufer’s motion to dismiss the appeal, Ms. Laufer’s attorney learned that Arpan LLC had dissolved its limited liability company and stopped doing business in February 2022, before the Eleventh Circuit had issued its panel opinion. Suggestion of Mootness 1, *Laufer v. Arpan, LLC*, No. 20-14846 (11th Cir. Jul. 21, 2023). Ms. Laufer’s counsel promptly filed a suggestion of mootness with the Eleventh Circuit. *Id.* Counsel for Arpan LLC filed a response conceding that the defendant had ceased to exist and that the appeal was moot. Appellant’s Resp. to Suggestion of Mootness 2, *Laufer v. Arpan LLC* (11th Cir. Aug. 9, 2023). In light of this information, the Eleventh Circuit concluded that the case “was moot—and, indeed, that it had been moot at the time of [the Court’s panel] decision.” Order, *Arpan LLC* (11th Cir. Aug. 15, 2023). The court accordingly vacated its panel opinion, reported at 29 F.4th 1268, and dismissed the appeal as moot.

To my knowledge, all other court proceedings brought by Ms. Laufer have been dismissed or otherwise finally resolved.

Respectfully submitted,

/s/ Kelsi Brown Corkran

Kelsi Brown Corkran

Counsel for Respondent