

**COURT OF CHANCERY
OF THE
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September 2, 2022

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Re: *Twitter, Inc. v. Elon R. Musk et al.*,
C.A. No. 2022-0613-KSJM

Dear Counsel:

The parties had previously confirmed their availability on Tuesday, September 6, 2022, in Courtroom 12A in the Leonard L. Williams Justice Center, 500 North King Street, Wilmington, Delaware, for a hearing on Defendants' Motion for Leave to Amend and Motion to Extend Case Schedule and Continue Trial.¹ The parties had originally confirmed a 3:15 p.m. start time. This letter moves the start time to 1:30 p.m. to allow the parties time to present argument on the pending discovery motions.

¹ C.A. No. 2022-0613-KSJM, Docket ("Dkt.") 282.

By my count, the following discovery motions are pending: Defendants' Motion for Reargument on my Letter Decision Denying Defendants' Third Discovery Motion;² Defendants' Fourth Discovery Motion regarding Plaintiff's Slack Messages;³ Plaintiff's Motion to Compel Musk's Tesla and SpaceX emails;⁴ and Plaintiff's Motion for Sanctions against Defendants for Discovery Misconduct.⁵

The parties shall complete letter submissions on these motions as promptly as possible, but no later than 1 p.m. on Sunday, September 4, 2022. Given the timing of the hearing, I will not entertain any additional requests to file replies or sur-replies on these motions.

We will break for 15 minutes at 3:00 p.m. and then continue until no later than 4:45 p.m. Each side will be permitted 90 minutes to present argument and may allocate those 90 minutes among the pending motions in any way they see fit. We will begin with the discovery motions before turning to the motion to amend.

The standard instruction applies: Aside from our Court of Chancery Court Reporter, no one (i.e., no party, counsel, member of the press, or any other attendee) may record the hearing in any manner (i.e., video, audio, or otherwise).

² Dkt. 320.

³ Dkt. 264.

⁴ Dkt. 375.

⁵ Dkt. 376.

Counsel to the parties will receive a Zoom link and further instructions. By no later than 11:00 a.m. the day of the hearing, the parties shall submit jointly to Chambers a list of persons they expect to attend the hearing by Zoom.

Also, an audio feed of this hearing, provided by CourtScribes, will be available through the following public access lines:

(774) 267-2687

(617) 829-7274

(774) 267-7226

(774) 267-7876

(774) 267-7689

Each line allows up to 1,000 phones to connect; if one does not work, try another.

Sincerely,

/s/ Kathaleen St. Jude McCormick

Kathaleen St. Jude McCormick
Chancellor

cc: All counsel of record (by *File & ServeXpress*)