

Superior Court
of the
State of Delaware

Jan R. Jurden
President Judge

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March 9, 2021

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Department of Justice
820 North French Street, 6th Fl.
Wilmington, Delaware 19801

RE: Delaware River & Bay Authority

v.

Frank Minor and Unemployment Insurance Appeal Board

C.A. No. N19A-10-004 JRJ

Dear Counsel and Mr. Minor:

The Court has received two letters filed on March 3, 2021—one filed by Appellee Frank Minor and the other filed by counsel for Appellant Delaware River & Bay Authority.¹

In his letter, Mr. Minor asks the Court to strike Appellant's Reply Brief because it was filed later than 10 days after Appellant's counsel received his Responding Brief.² Mr. Minor notes that this deadline was established in the briefing schedule that the Court issued on November 19, 2020.³

¹ Trans. ID. 66388073; Trans. ID. 66388192.

² Trans. ID. 66388073.

³ Trans. ID. 66388192; Trans. ID. 66126992.

Appellant’s counsel respond that, due to COVID-19, they had been working remotely when the Responding Brief was delivered.⁴ They also explain that their law firm’s “normal protocols for logging and emailing mail to the recipient were for some reason not followed in this instance,” so they did not receive notice of the Responding Brief until it was filed electronically.⁵ After they received notice, Appellant’s counsel filed the Reply Brief within 10 days pursuant to Superior Court Civil Rule 6(a).⁶

Recognizing that we are in the midst of a global pandemic, which has sown much logistical confusion, the Court declines to strike Appellant’s Reply Brief for untimeliness.

Very truly yours,

/s/ Jan R. Jurden

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President Judge

JRJ:mls

cc: Prothonotary

⁴ Trans. ID. 66388192.

⁵ *Id.*

⁶ *Id.*