

# Milbank

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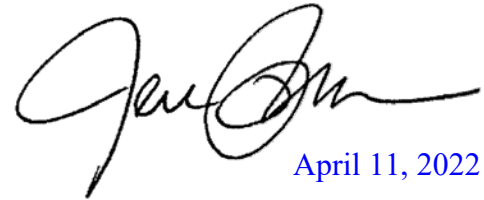
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April 11, 2022

Application GRANTED. The Clerk of Court is directed to terminate ECF No. 600. SO ORDERED.

**VIA ECF**

Hon. Jesse M. Furman  
U.S. District Court for the Southern District of New York  
40 Foley Square  
New York, NY 10007



April 11, 2022

Re: *In re: AXA Equitable Life Insurance Co. COI Litigation*, 16-cv-740, 17-cv-4767, 17-cv-4803, 17-cv-9355, 18-cv-2111, 18-cv-10730 (JMF)

Dear Judge Furman:

We represent Defendant AXA Equitable Life Insurance Company in the above-referenced proceedings. We write pursuant to the Court's Order, dated March 31, 2022 [ECF 596] (the "Order") to advise the Court that all Parties have conferred about continued mediation efforts in these cases. Equitable, Class Plaintiffs, *LSH, Croft, Peterson*, and *Duffy/Tull* Plaintiffs have agreed to continue mediation efforts. *EFG* Plaintiffs will not be able to confirm their willingness to do so until later next week. We have spoken with Phillips ADR to determine the availability of Judge Layn R. Phillips (Ret.) (the private mediator the parties have used in the past). His first availability is June 16-17, although Phillips ADR will keep us apprised if earlier dates become available. The mediation on June 16 will be with only the Class Plaintiffs, and the mediation on June 17 would be with the Individual Related Action Plaintiffs.

Accordingly, all Parties jointly request an extension to June 30, 2022 of the April 28, 2022 deadline for the parties to submit a joint letter proposing a trial plan, along with a proposed schedule for pretrial submissions consistent with Your Honor's Individual Rules. This is the first request for an extension of that deadline. No Party is anticipating requesting an extension of the April 14, 2022, April 21, 2022, or May 5, 2022 deadlines imposed by the Order or the deadlines to file any other motions pursuant to the Court's Local Rules and Your Honor's Individual Rules.

Respectfully submitted,

/s/ Robert C. Hora

Robert C. Hora

cc: All Counsel of Record in the Related Actions (via ECF)

MILBANK LLP

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