

**ORIGINAL**

**MEMO ENDORSED**

**Dechert**  
LLP

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
 DOC #:  
 DATE FILED: 6/10/21

Cira Centre  
 2929 Arch Street  
 Philadelphia, PA 19104-2808  
 +1 215 994 4000 Main  
 +1 215 994 2222 Fax  
 www.dechert.com

**MICHAEL H. MCGINLEY**

michael.mcginley@dechert.com  
 +1 215 994 2463 Direct  
 +1 215 655 2131 Fax

June 10, 2021

**VIA ECF**

The Honorable Louis L. Stanton  
 United States District Court  
 Southern District of New York  
 Daniel Patrick Moynihan United State Courthouse  
 500 Pearl Street  
 New York, NY 10007

*Extension to Monday  
 June 14 at 12 o'clock  
 noon is allowed.*

Re: *Innovatus Capital Partners, LLC v. Neuman*, No. 1:18-cv-04252-LLS (S.D.N.Y.)<sup>1</sup> and  
*MV Realty PBC, LLC v. Innovatus Capital Partners, LLC*, No. 1:18-07142-LLS (S.D.N.Y.)

Dear Judge Stanton:

We are counsel to Innovatus Capital Partners, LLC (“Innovatus”), which is Plaintiff in the first above-captioned action and Defendant and Counter-Claimant in the second. We write to request a short extension of the Court’s deadline for Innovatus to submit briefing on the question of whether portions of the MV Realty Parties’<sup>2</sup> May 24, 2021 Pre-Motion Conference Letter (the “May 24 Letter”) should be filed under seal. See Dkt. 171 (Order setting deadline). In order to consolidate its briefing on the sealing of confidential information in both of the MV Realty Parties’ recently filed letters, Innovatus respectfully requests that the deadline be moved to Monday, June 14, 2021, at 5:00 p.m.

*So ordered.  
 Louis L.  
 Stanton  
 6/10/21*

Yesterday afternoon, June 9, 2021, the MV Realty Parties filed another letter in support of their May 24 Letter (the “June 9 Letter”). Dkt. 180. The June 9 Letter added several new references to information Innovatus has designated as “Highly Confidential” under the operative Protective Order. The June 9 Letter also attached as an exhibit a document Innovatus has designated as “Confidential” and “Highly Confidential.” The MV Realty Parties concurrently filed a letter request to seal the June 9 Letter, in which they noted their request for sealing was “pending a submission by Innovatus providing a basis for its belief that these materials should be sealed.” Dkt. 179 at 2.

<sup>1</sup> All citations to “Dkt.” herein refer to the docket entries in *Innovatus Capital Partners, LLC v. Neuman*, No. 1:18-cv-04252-LLS (S.D.N.Y.).

<sup>2</sup> The “MV Realty Parties” refers collectively to Defendants and Counter-Claimants Jonathan Neuman, Antony Miller, Ritz Advisors, LLC, Greg Williams, Daryl Clark, and Amanda Zachman in the first above-captioned action, and Plaintiff MV Realty PBC, LLC in the second above-captioned action.

Dechert  
LLP

Hon. Louis L. Stanton  
June 10, 2021  
Page 2

The new information in the June 9 Letter is highly sensitive as it reveals Innovatus' proprietary business development strategy with respect to its RTL business. In the interest of efficiency, Innovatus proposes to brief the basis for sealing the Confidential and Highly Confidential information in both letters in a single submission. Accordingly, Innovatus requests this short extension so that it has the time necessary to fully brief the Court on these new materials. In accordance with Your Honor's Individual Practices, ¶ 1.E, Innovatus represents that it has not previously asked for an extension with respect to this sealing request and that counsel for the MV Realty Parties confirmed via e-mail this morning that they do not oppose this request.

For these reasons, Innovatus respectfully requests an extension of today's filing deadline to Monday, June 14, 2021, at 5:00 p.m., so that it can consolidate its briefing to the Court on whether portions of the May 24 Letter and the June 9 Letter should be filed under seal.

Respectfully,



Michael H. McGinley

CC: All counsel of record (via ECF)