

## KASOWITZ BENSON TORRES LLP

STEPHEN P. THOMASCH  
DIRECT DIAL: (212) 542-4733  
DIRECT FAX: (212) 504-2832  
STHOMASCH@KASOWITZ.COM

1633 BROADWAY  
NEW YORK, NEW YORK 10019  
(212) 506-1700  
FAX: (212) 506-1800

ATLANTA  
HOUSTON  
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May 8, 2024

VIA ECF

MEMORANDUM ENDORSED

Hon. Gabriel W. Gorenstein  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Espire Ads LLC, et al. v. TAPP Influencers Corp., et al., No. 1:21-cv-10623 & TAPP Influencers LLC, et al. v. Espire Ads LLC, et al., No. 1:21-cv-11068*

Your Honor:

We represent the TAPP Parties in the above-captioned consolidated actions. We write, pursuant to Rule 1.F of Your Honor's Individual Practices, in response to Your Honor's May 7<sup>th</sup> order (ECF No. 139) setting a conference on Friday, May 10<sup>th</sup> at 3:30 pm to discuss the discovery disputes raised by the parties' May 2<sup>nd</sup> joint letter (ECF No. 138). The TAPP Parties request an adjournment of the conference until Friday, June 7<sup>th</sup> at 3:30 pm because they have selected new counsel to represent them in this consolidated action. The requested extension would allow substitute counsel the opportunity to enter an appearance and get up to speed on the record and issues in this action in advance of the conference. Espire Parties' counsel, Zachary Meyer, confirmed that he consents to this request, but asks that, if the Court is available on Thursday, June 6<sup>th</sup> at 3:30 pm, the hearing is rescheduled for that day. The TAPP Parties are available on either day.

Thank you in advance for your attention to this matter.

Respectfully,

/s/ Stephen P. Thomasch

Stephen P. Thomasch

The conference is adjourned sine die. The Court is not setting a new date at this time because the joint letter filed by the parties (Docket # 138) in many, if not most, instances fails to provide responses to the arguments made by the opposition as required by Docket # 136. The Court is hopeful that new counsel will see the infirmities in the letter and will work with Espire to produce a letter that explains each side's position or, better yet, eliminates issues. As soon as practicable, the parties are directed to confer by telephone and at length regarding the disputes and to file a new letter by June 6, 2024 that will replace Docket # 138. In that new letter, the parties shall propose dates/time for the rescheduled conference.

So Ordered.

  
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GABRIEL W. CORENSTEIN  
United States Magistrate Judge

May 9, 2024