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November 2, 2022

By CM / ECF

Molly C. Dwyer, Clerk of Court  
U.S. Court of Appeals for the Ninth Circuit  
The James R. Browning Courthouse  
95 7th Street  
San Francisco, CA 94103

**Re: *Eastman v. Thompson, et al.*, No. 22-56013**

Dear Ms. Dwyer:

It has come to our attention this morning that some media outlets have been able to access the Dropbox link that counsel for Dr. Eastman created to share documents with the Select Committee and that was included in the attachments to the brief we filed with the Court last night in response to Dr. Eastman's emergency motion. We were not aware that the links in Dr. Eastman's email remained active, and had no intention to provide this type of public access to the materials at this stage. Providing public access to this material at this point was purely inadvertent on our part. We have communicated this information to counsel for Dr. Eastman so that they can deactivate the links going forward.

Respectfully submitted,

/s/ Douglas N. Letter

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 2nd day of November 2022, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit using the appellate CM/ECF system. Counsel for all parties to the case are registered CM/ECF users and will be served by the appellate CM/ECF system.

*/s/ Douglas N. Letter*  
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