

September 26, 2019

Via NYSCEF and Hand Delivery

Hon. O. Peter Sherwood
Supreme Court of the State of New York
Commercial Division, Part 49
60 Centre Street, Room 252
New York, New York 10007

Re: *Perella Weinberg Partners LLC, et al. v. Kramer, et al.*, Index No. 653488/2015

Dear Justice Sherwood:

We write in response to the letter submitted by John Villa, Esq. of Williams & Connolly LLP, dated September 24, 2019. While Mr. Villa is not counsel of record for any party to this case, he spends no less than eight pages arguing on behalf of PWP. In the event the Court nonetheless entertains Mr. Villa's correspondence, Defendants note that his letter:

1. Ignores the primary issue about which PWP and Weil should be concerned; namely, whether they intentionally concealed material information and made misrepresentations to Defendants, this Court, and the First Department;
2. Proffers unsupported conclusions that misstate the parties' positions in this litigation (with which Mr. Villa has had no first-hand involvement and seeks to extricate his client); and
3. Misstates the relief sought by Defendants, which was limited to a conference.

Finally, Mr. Villa does not and cannot justify any request to engage *in camera* or *ex parte* communications. He does not explain the source of the press information, and why, in fact, this information is protected from disclosure. Indeed, when Defendants sought to confer with Mr. Villa on these issues, he declined, stating: "I do not know whether there will come a time when I would meet with you." In all events, to the extent PWP asserts a privilege to thwart discovery in this case, we ask for the opportunity to demonstrate why the crime-fraud exception applies here. See *Ulico Cas. Co. v. Wilson, Elser, Moskowitz, Edelman & Dicker*, 1 A.D.3d 223, 224 (1st Dep't 2003).

Respectfully submitted,



Lisa C. Solbakken

cc: All Counsel of Record (via NYSCEF)
John K. Villa, Esq. (via e-mail)