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Via Email

January 31, 2018

The Honorable Pierre N. Leval
Thurgood Marshall United States Courthouse
40 Foley Square, Room 1901
New York, New York 10007

Re: *Delaware v. Arkansas, et al. No. 22O145/22O146 (Consolidated)*

Dear Judge Leval:

The Parties have reached a compromise regarding the discovery dispute discussed with your honor last Thursday, January 25, 2018. Delaware and the Defendant States have agreed that Defendants States will produce non-privileged information responsive to the following categories:

- Communications between the state agencies responsible for collecting unclaimed property and MoneyGram regarding Official Checks or money orders over the past ten years.
- The identities of the holders who have reported unclaimed property under NAUPA codes CK01-04, CK07, and CK15 over the last ten years.
- Communications between the state agencies responsible for collecting unclaimed property and the ten holders who have reported the largest amounts of unclaimed property under the codes identified above over the last ten years regarding state policies on whether particular types of instruments are “money orders,” “other similar written instruments,” or “third party bank checks” for the purposes of the Federal Disposition Act.
- Any memos, instructions, or policies regarding how state agencies responsible for collecting unclaimed property should apply the terms “money orders,” “other similar written instruments,” or “third party bank checks” in the context of the Federal Disposition Act when asked by holders for advice on where to report unclaimed property.

The agreement recognizes that individual Defendant States may have particular issues regarding the production of the above categories and that Defendant States will raise those issues if and when they arise. In light of the above agreement, the Parties do not believe an additional teleconference is necessary at this time.



Respectfully submitted,

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