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February 6, 2018

VIA EMAIL

Hon. Pierre N. Leval
United States Court of Appeals for the Second Circuit
40 Foley Square
New York, NY 10007

RE: Delaware v. Arkansas, No. 220145

Dear Judge Leval:

On behalf of the parties in the above matter, we write regarding an issue that we respectfully submit needs your attention. By stipulation filed June 12, 2017 (docket entry 38), the parties and MoneyGram Payment Systems, Inc. stipulated and agreed that MoneyGram “will not remit the proceeds from any unclaimed ‘Official Checks’” to any state during the pendency of this lawsuit.” The parties and MoneyGram further agreed MoneyGram would attempt to deposit such proceeds into the registry of the United States District Court for the Southern District of New York, or, if that were unsuccessful, to some other escrow fund on terms mutually agreeable. We now understand that MoneyGram, in compliance with the stipulation, has attempted to remit funds to the SDNY registry, but the clerk of that court is first seeking an order from Your Honor permitting such a deposit. We further understand your clerk contacted MoneyGram to express some reservations about issuing such an order. Thus, the deposit matter presently remains unresolved.

To that end, the parties and MoneyGram met and discussed this issue by telephonic conference on February 6, 2018. As a result of the call, the parties jointly request that Your Honor issue an appropriate order authorizing the SDNY registry to accept the MoneyGram deposit, or, in the alternative, the parties request a brief telephonic conference with the Court to facilitate resolution of the deposit issue. We appreciate your attention to this concern.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Matthew H. Haverstick', written over a light blue horizontal line.

MATTHEW H. HAVERSTICK

cc: All counsel (via email)
Michael Rato (via email)