

# COVINGTON

BEIJING BRUSSELS DUBAI FRANKFURT JOHANNESBURG  
LONDON LOS ANGELES NEW YORK PALO ALTO  
SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

**Beth S. Brinkmann**

Covington & Burling LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
T +1 202 662 5312  
bbrinkmann@cov.com

April 22, 2020

Hon. Pierre N. Leval, Special Master  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 1901  
New York, NY 10007

**Re: *Delaware v. Arkansas, et al., 220145 & 220146 (consolidated)***

Dear Judge Leval,

We respectfully seek leave to submit this letter to bring to the Court's attention the fact that the briefing to this Court in *Delaware v. Arkansas* uses the term "cashier's checks" imprecisely and suggests that the Court rely on unsupported assumptions about cashier's checks in resolving the case. We recognize that the issue of cashier's checks is not before the Court for adjudication in this case and write in the spirit of an *amicus curiae* to reinforce that point, and do not present any additional legal argument.

Legal analysis of the scope and nature of cashier's checks would require development of a record and briefing relevant to that issue, which is lacking here. Reliance on the unsupported assumptions about cashier's checks could inadvertently affect the rights of entities not before the Court, including in other pending litigation. We submit this letter consistent with the CMO procedures for submissions to the Special Master to provide this relevant information that may be of assistance to the Court.

Respectfully submitted,



Beth S. Brinkmann  
*Counsel of Record for  
JPMorgan Chase Bank, N.A.*

cc: counsel for parties (list attached)

**COVINGTON**

Service List for *Delaware v. Arkansas, et al.*, 22O145 & 22O146 (consolidated), as provided in Attachment to Case Management Order 4

<b>State</b>	<b>Attorney</b>	<b>Email Address</b>
Alabama	Andrew Brasher	abrasher@ago.state.al.us
Alabama	Corey Maze	cmaze@ago.state.al.us
Arkansas	Nicholas Bronni*	nicholas.bronni@arkansasag.gov
Arkansas	Lee Rudofsky	lee.rudofsky@arkansasag.gov
Arizona	Dominic Draye	dominic.draye@azag.gov
Arizona	Adela Johnson	adela.johnson@azag.gov
Arizona	Dave Cole	dave.cole@azag.gov
California	Aimee Feinberg	aimee.feinberg@doj.ca.gov
California	Craig Rust	craig.rust@doj.ca.gov
Colorado	Amy Holston	amy.holston@coag.gov
Colorado	LeeAnn Morrill	leeann.morrill@coag.gov
Colorado	Glenn Roper	glenn.roper@coag.gov
Colorado	Grant Sullivan	grant.sullivan@coag.gov
Colorado	Fred Yarger	fred.yarger@coag.gov
Florida	Amit Agarwal	amit.agarwal@myfloridalegal.com
Florida	Chesterfield Smith, Jr.	chesterfield.smith@myfloridalegal.com
Florida	Al Bowden	al.bowden@myfloridalegal.com
Florida	Jordan Pratt	jordan.pratt@myfloridalegal.com
Idaho	Brian Kane	brian.kane@ag.idaho.gov
Indiana	Tom Fisher	tom.fisher@atg.in.gov
Indiana	Lara Langeneckert	lara.langeneckert@atg.in.gov
Iowa	David Faith	david.faith@iowa.gov
Iowa	Jeffrey Thompson	jeffrey.thompson@iowa.gov
Kansas	Jeff Chanay	jeff.chanay@ag.ks.gov
Kentucky	Travis Mayo	travis.mayo@ky.gov
Louisiana	Elizabeth Murrill	murrille@ag.louisiana.gov
Louisiana	Margaret Collier	collierma@ag.louisiana.gov
Maryland	Renee Nacrelli	rnacrelli@comp.state.md.us
Michigan	Aaron Lindstrom	lindstroma@michigan.gov
Michigan	Eric Restuccia	restucciae@michigan.gov
Montana	Dale Schowengerdt	dales@mt.gov
Nebraska	Dave Bydalek	dave.bydalek@nebraska.gov
Nevada	Lawrence VanDyke	lvandyke@ag.nv.gov
Nevada	Bryan Stockton	bstockton@ag.nv.gov
North Dakota	David Garner	dpgarner@nd.gov
North Dakota	Troy Seibel	tseibel@nd.gov
Ohio	Keith O'Korn	keith.o'korn@ohioattorneygeneral.gov

**COVINGTON**

Ohio	Eric Murphy	eric.murphy@ohioattorneygeneral.gov
Ohio	Susan Walker	susan.walker@ohioattorneygeneral.gov
Oklahoma	Mithun Mansinghani	mithun.mansinghani@oag.ok.gov
Oklahoma	Matthew LaFon	matthew.lafon@oag.ok.gov
Oregon	Benjamin Gutman	benjamin.gutman@doj.state.or.us
Pennsylvania	Matthew Haverstick***	mhaverstick@kleinbard.com
Pennsylvania	Joshua Voss	jvoss@kleinbard.com
South Carolina	Emory Smith	esmith@scag.gov
Texas	Patrick Sweeten	patrick.sweeten@oag.texas.gov
Texas	Todd Disher	todd.disher@oag.texas.gov
Utah	Tyler Green	tylergreen@agutah.gov
Virginia	Trevor Cox	tcox@oag.state.va.us
Virginia	Matthew McGuire	mmcguire@oag.state.va.us
Washington	Jay Geck	jayg@atg.wa.gov
Washington	Rosann Fitzpatrick	rosannf@atg.wa.gov
Washington	Noah Purcell	noahp@atg.wa.gov
West Virginia	Thomas Johnson, Jr.	thomas.m.johnsonjr@wvago.gov
Wisconsin	Misha Tseytlin**	tseytlinm@doj.state.wi.us
Wisconsin	Karla Keckhaver	keckhaverkz@doj.state.wi.us
Wyoming	Peter K. Michael	peter.michael@wyo.gov
Wyoming	Karl Anderson	karl.anderson@wyo.gov
Wyoming	Mackenzie Williams	mackenzie.williams@wyo.gov
Delaware	Steven Rosenthal****	srosenthal@loeb.com
Delaware	Marc Cohen	mscohen@loeb.com
Delaware	Tiffany Moseley ****	tmoseley@loeb.com
Delaware	J.D. Taliaferro	jtaliaferro@loeb.com
Delaware		jmattavi@loeb.com
Delaware	Aaron Goldstein	aaron.goldstein@state.de.us
Delaware	Caroline Cross	caroline.cross@state.de.us
Delaware	Jennifer Noel	jennifer.noel@state.de.us

\* Lead Counsels for Arkansas et al.

\*\* Lead Counsel for Wisconsin

\*\*\* Lead Counsel for Pennsylvania

\*\*\*\* Lead Counsel for Delaware