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November 13, 2023

VIA E-MAIL to AD3motions@nycourts.gov

Robert D. Mayberger

Clerk of the Court

New York Supreme Court, Appellate Division

Third Judicial Department

P.O. Box 7288, Capitol Station

Albany, New York 12224-0288

**Re: Fiore et al. v. New York Cannabis Control Board et al.,
Docket No. CV-23-1710**

Dear Mr. Mayberger:

In connection with the parties' pending joint motion for extension of time and stay of proceedings (NYSCEF 22), which is returnable on November 13, 2023, I write on behalf of all parties to provide a status update. The parties have reached an agreement in principle to settle this matter and have so informed Supreme Court (which has not yet issued a decision on the pending summary judgment motions). Finalization of any settlement is contingent on the drafting and execution of a formal settlement agreement acceptable to all parties, approval of the settlement by the defendant-respondent New York Cannabis Control Board, and the settlement agreement being so ordered by Supreme Court.

The parties are available should the Court have any questions.

Respectfully submitted,



Brian T. Burns

Counsel for Plaintiffs-Respondents

cc: Alexandria Twinem (counsel for Defendants-Appellants)