

Dunn Isaacson Rhee

October 2, 2026

By ECF

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

Re: *Hobbs, et al. v. Meta Platforms, Inc., et al.*, 1:26-cv-04314-PAE

Dear Judge Engelmayer:

The parties jointly write pursuant to the Court's September 18, 2026, Order directing the parties to file "a joint letter setting out the parties' views as to a potential motion to transfer this action, and a proposed timetable for briefing that motion" within one week of the decision on the motion to transfer venue in *Elsevier Inc. v. Meta Platforms, Inc.*, 1:26-cv-03689-PKC, pending before Judge Castel.

On September 25, 2026, Judge Castel granted Meta Platforms, Inc.'s motion to transfer to the Northern District of California. *See Elsevier Inc. v. Meta Platforms, Inc.*, No. 1:26-cv-03689-PKC, ECF No. 101 (Sept. 25, 2026) (attached as Exhibit A). Following receipt and review of that decision, the parties have conferred. Plaintiffs believe that there are compelling reasons for this matter to remain in the Southern District of New York. However, since the *Elsevier* Court granted Defendants' motion to transfer, Plaintiffs have agreed, for reasons of efficiency, to stipulate to the transfer of this action on consent to the United States District Court for the Northern District of California. The parties have further stipulated to vacate Defendants' deadline (currently October 7, 2026) to respond to the amended complaint, with that deadline to be set by the transferee court after the action is docketed there. Assuming the parties' stipulation is accepted and ordered by the Court, a motion to transfer and the related briefing timetable will not be necessary.

The stipulation also addresses a practical consequence of the transfer. The Northern District of California's Civil Local Rules may require counsel who are not members of that court's bar to associate with counsel who are members of that bar and who maintain an office in California. Plaintiffs' counsel of record, Stone & Magnanini LLP, have litigated this action in this Court since its inception and are familiar with the record. Because the parties are agreeing to transfer on consent in

Dunn Isaacson Rhee LLP
www.dirlp.com
401 9th Street, NW
Washington, DC 20004
(202) 240-2900

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order to avoid motion practice and to conserve judicial and party resources, Plaintiffs' view is that requiring Plaintiffs to retain additional local counsel solely by reason of the transfer would impose unnecessary expense and delay. Defendants do not oppose this position. Defendants therefore will not oppose a request by Plaintiffs that the transferee court waive any such requirement and permit Plaintiffs' counsel of record to continue to appear in this action. Plaintiffs intend to make that request promptly after the transfer is docketed. The parties' agreement is without prejudice to the transferee court's discretion on that request.

The parties' stipulation and proposed order is attached hereto as Exhibit B, and the parties respectfully request that the Court so-order the stipulation if it meets with the Court's approval. Should the Court have any questions, the parties are available for a conference at the Court's convenience.

Respectfully submitted,

/s/ David S. Stone

David S. Stone
STONE & MAGNANINI, LLP
400 Connell Dr., Suite 6200
Berkeley Heights, NJ 07922
dstone@smcomplex.com
Tel: (973) 218-1111

*Counsel for Plaintiffs and the
Putative Class*

/s/ Kyle N. Smith

Kyle N. Smith
DUNN ISAACSON RHEE LLP
401 9th St. NW
Washington, DC 20004
ksmith@dirllp.com
Tel: (202) 240-2922

*Counsel for Defendant Meta
Platforms, Inc.*

/s/ Justin V. Shur

Justin V. Shur
LIU SHUR KRAVIS LLP
607 14th St., NW, Suite 625
Washington, DC 20005
Justin.shur@lsklp.com
Tel: (202) 240-7102

*Counsel for Defendant
Mark Zuckerberg*