

Stephen M. Plotnick
Partner
plotnick@clm.com

28 Liberty Street, 41st Floor
New York, NY 10005
D / 212-238-8772

BY ECF

May 29, 2024

The Honorable Theodore D. Chuang
United States District Judge
United States District Court, District of Maryland
6500 Cherrywood Lane, Suite 245
Greenbelt, MD 20770

Re: *Yao v. Chen et al.*
Civil Action No. TDC-23-0889

Dear Judge Chuang:

This firm, together with the law firm of Barkley & Kennedy, Chartered, represents the Plaintiff in the above-referenced matter. We write to request the Court's permission to file a short sur-reply, consisting of no more than two pages, to the Reply Memorandum of Law in Further Support of Defendants' Motion for Judgment on the Pleadings, which Defendants filed this past Friday, May 24, 2024 (ECF No. 56). The sur-reply would be limited to addressing an argument raised by Defendants for the first time on pp. 13-14 of their Reply Memorandum of Law that Plaintiff's claims are barred under Wyo. Stat. Ann. § 17-29-703(c). Defendants did not make that argument in their initial moving papers and, indeed, their opening Memorandum of Law (ECF No. 50) does not even cite to Wyo. Stat. Ann. § 17-29-703(c). If the Court is inclined to consider Defendants' new argument, Plaintiff respectfully requests the opportunity to briefly explain why it is unavailing.

Respectfully submitted,

/s/ Stephen M. Plotnick

Stephen M. Plotnick

cc: All counsel of record (by ECF)