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November 23, 2022

VIA ECF

Hon. Katherine Polk Failla, U.S.D.J.  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: **Larball Publishing Company, Inc., et al. v. Dua Lipa, et al., Case No. 22-cv-1872**

Dear Judge Failla:

We are counsel for Defendants Dua Lipa, Clarence Coffee, Jr., Sarah Hudson, Stephen Kozmeniuk, Sony Music Publishing (US) LLC, Universal Music Corporation and Warner Records Inc. (collectively, “Defendants”) in the above-referenced action.

At the September 27, 2022 pre-motion to dismiss conference, Defendants apprised the Court that a related copyright infringement action is pending in the Central District of California, entitled *Cope, et al. v. Warner Records Inc., et al.*, Case 2:22-cv-01384 SSS (ASx) (the “*Cope* Action”). In the *Cope* Action, the plaintiffs thereto are alleging that the same musical composition and sound recording that is at issue in this lawsuit—“Levitating”—purportedly infringes their copyright in a musical composition entitled “Live Your Life.” Five of the Defendants in this action—namely, Dua Lipa, Clarence Coffee, Jr., Sarah Hudson, Stephen Kozmeniuk and Warner Records Inc.—are also defendants in the *Cope* Action.

We write to provide a further update that the *Cope* Defendants filed a motion to transfer the *Cope* Action to the Southern District of New York on November 14, 2022, seeking for both actions to be maintained in a single forum. We will continue to update the Court as to the status of that motion. Of course, we are available to discuss this matter further in the event that the Court has any questions.

Sincerely,

A handwritten signature in black ink that reads 'Christine Lepera'.

Christine Lepera  
A Professional Corporation of  
MITCHELL SILBERBERG & KNUPP LLP

CTL/sml

cc: Counsel of Record (via ECF)