

**COURT OF CHANCERY
OF THE
STATE OF DELAWARE**

KATHALEEN ST. JUDE MCCORMICK
CHANCELLOR

LEONARD L. WILLIAMS JUSTICE CENTER
500 N. KING STREET, SUITE 11400
WILMINGTON, DELAWARE 19801-3734

September 26, 2022

Peter J. Walsh, Jr., Esquire
Kevin R. Shannon, Esquire
Christopher N. Kelly, Esquire
Mathew A. Golden, Esquire
Callan R. Jackson, Esquire
Potter Anderson & Corroon LLP
1313 N. Market Street
Hercules Plaza, 6th Floor
Wilmington, DE 19801

Brad D. Sorrels, Esquire
Wilson Sonsini Goodrich & Rosati, P.C.
222 Delaware Avenue, Suite 800
Wilmington, DE 19801

Edward B. Micheletti, Esquire
Lauren N. Rosenello, Esquire
Skadden, Arps, Slate, Meagher & Flom LLP
920 N. King Street, 7th Floor
P.O. Box 636
Wilmington, DE 19899-0636

Brett M. McCartney, Esquire
Elizabeth A. Powers, Esquire
Sarah T. Andrade, Esquire
Ballard Spahr LLP
919 N Market St., 11th Floor
Wilmington, DE 19801

Martin S. Lessner, Esquire
Tammy L. Mercer, Esquire
Lakshmi Muthu, Esquire
M. Paige Valeski, Esquire
Young Conaway Stargatt & Taylor, LLP
Rodney Square 1000 North King Street
Wilmington, DE 19801

Re: *Twitter, Inc. v. Elon R. Musk et al.*,
C.A. No. 2022-0613-KSJM

Dear Counsel:

Oral argument on the parties' pending motions will be held remotely tomorrow, Tuesday, September 27, 2022, beginning at 1:30 p.m. Two 90-minutes sessions will be allocated to this hearing, which will conclude no later than 4:45 p.m. We will take a fifteen-minute break around 3 p.m.

The 180 minutes will be allocated evenly between Defendants, on the one hand, and Plaintiff, on the other. The Morgan Stanley entities' argument time will count against Defendants' 90-minutes. We will begin with the Second Motion to Amend.¹ We will then work through Defendants' discovery motions in the order they were filed,² before turning to Plaintiff's discovery motions in the order they were filed.³ I will rely on the parties to keep track of time and report any issues that arise over the course of the hearing.

As you are aware, I have issued letters attempting to focus arguments concerning Defendants' Second Motion to Amend⁴ and Defendants' Fifth,⁵ Sixth,⁶ and Seventh⁷ Discovery Motions. I have not issued similar letters as to Plaintiff's Fifth, Sixth, or Seventh Discovery Motions and do not anticipate doing so in advance of the September 27 hearing. The parties should be prepared to address those motions in full.

Counsel to the parties and relevant non-parties will receive a Zoom link and further instructions from CourtScribes. By no later than 10:00 a.m. on September 27, the parties shall submit jointly to CourtScribes, with a copy to Chambers, a list of persons they expect to attend the hearing.

¹ C.A. No. 2022-0613-KSJM, Docket ("Dkt.") 440.

² Dkt. 422, 468, and 524.

³ Dkt. 422, 531, and 532.

⁴ Dkt. 580, 601.

⁵ Dkt. 579.

⁶ Dkt. 593.

⁷ Dkt. 600.

An audio feed of this hearing, provided by CourtScribes, will be available through the following public access lines:

(774) 267-2687

(617) 829-7274

(774) 267-7226

(774) 267-7876

(774) 267-7689

Each line allows up to 1,000 phones to connect; if one does not work, try another.

The standard instruction applies: Aside from our Court of Chancery Court Reporter, no one (i.e., no party, counsel, member of the press, or any other attendee) may record the hearing in any manner (i.e., video, audio, or otherwise).

Sincerely,

/s/ Kathaleen St. Jude McCormick

Kathaleen St. Jude McCormick
Chancellor

cc: All counsel of record (by *File & ServeXpress*)