

**DISTRICT ATTORNEY
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CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

BY ECF

Catherine O'Hagan Wolfe
Clerk of Court
U.S. Court of Appeals, Second Circuit
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

October 21, 2019

**Re: Donald J. Trump v. Cyrus R. Vance, Jr., et al.
Case No. 19-3204 cv**

Dear Ms. O'Hagan Wolfe:

We represent the office of Cyrus R. Vance, Jr., District Attorney of New York County, an Appellee in this matter.

We write to inform the Court that the parties have reached an arrangement to resolve Appellant's emergency motion for a stay pending appeal (Dkt. No. 128) filed on Friday, October 18, 2019.

Appellee Vance agrees to forbear enforcement of the Mazars Subpoena between the date of oral argument in this matter (October 23, 2019) and ten calendar days after this Court issues its panel opinion (the "Forbearance Period"), on the following conditions:

1. Any petition for *certiorari* in this matter will be filed in the Supreme Court within the Forbearance Period; any opposition will be filed within seven calendar days from the petition; and any reply will be filed within three calendar days from any opposition. Should any filing date specified above fall on a weekend or holiday, the terms of Federal Rule of Appellate Procedure 26 shall control.

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2. Should Appellant petition for *certiorari*, Appellant will request in his petition that the Supreme Court hear the case in the current term, and Appellee Vance will further forbear enforcement of the Mazars Subpoena until the Supreme Court either denies *certiorari* or issues an opinion, whichever is sooner.
3. Appellant will immediately withdraw all pending motions for a stay in this Court.

We are available at the Court's convenience should any questions arise concerning this undertaking.

Respectfully submitted,



Carey R. Dunne, *General Counsel*

Christopher Conroy (*pro hac vice*)

Solomon B. Shinerock

James H. Graham

Sarah Walsh (*pro hac vice*)

Allen J. Vickey

Assistant District Attorneys

New York County District Attorney's Office

Agreed on October 21, 2019:

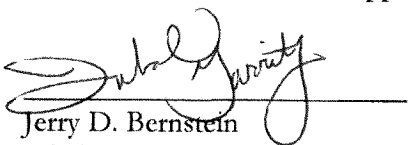


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CC: all counsel of record (via ECF)