

Katten

575 Madison Avenue
New York, NY 10022-2585
+1.212.940.8800 tel
katten.com

TERENCE P. ROSS
terence.ross@katten.com
+1.202.625.3676 direct

July 30, 2021

Via ECF and Electronic Mail

Honorable Cathy Seibel
United States District Judge
United States District Court for the Southern District of New York
300 Quarropas St.
White Plains, NY 10601-4150

Re: *Windstream Holdings, Inc., et al. v. Charter Communications, Inc. and Charter Communications Operating, LLC*, Civil Action No. 21-cv-04552 (CS)

Dear Judge Seibel:

We represent Windstream Holdings, Inc. and each of its affiliates (collectively, the “Plaintiffs-Appellees”) in the above-referenced appeal from a decision by Judge Drain in an adversary proceeding (Adv. Proc. No. 19-08246 (RDD), Bankr. No. 19-22312 (RDD)). Pursuant to Sections I.E and 8 of Your Honor’s Individual Practices, we write jointly with counsel for Charter Communications, Inc. and Charter Communications Operating, LLC (together, the “Defendants-Appellants”) to request an extension of the remaining bankruptcy appeal briefing deadlines. This is the first such extension requested by either party.

Defendants-Appellants filed their opening brief on July 26, 2021. Under Fed. R. Bankr. P. 8018, Plaintiffs-Appellees’ response brief is therefore currently due by August 25, 2021, with any reply brief by Defendants-Appellants due by September 8, 2021. Plaintiffs-Appellees seek an extension because of a number of obligations in the coming 30 days, including appellate briefing in federal and state court as well as ongoing trial-court litigation, all in other matters in other courts. Defendants-Appellants consent to that request, but seek an additional 14-day extension for their reply because of a trial scheduled for mid-October.

The parties therefore respectfully request a 30-day extension of Plaintiffs-Appellees’ responsive deadline through and to **September 24, 2021**; and a corresponding 14-day extension of Defendants-Appellants’ reply deadline through and to **October 22, 2021**.



Katten

July 30, 2021
Page 2

We thank the Court for its assistance in this matter.

Respectfully submitted,

/s/ Terence P. Ross

Terence P. Ross

Shaya Rochester

Michael R. Justus (admitted *pro hac vice*)

KATTEN MUCHIN ROSENMAN LLP

575 Madison Avenue

New York, NY 10022

(212) 940-8800

srochester@katten.com

Counsel for Plaintiffs-Appellees

/s/ Susheel Kirpalani

Susheel Kirpalani

Benjamin I. Finestone

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

51 Madison Avenue, 22nd Floor

New York, New York 10010

(212) 849-7000

susheelkirpalani@quinnemanuel.com

Counsel for Defendants-Appellants

cc: All counsel of record (via ECF and Electronic Mail)

The joint request to extend the briefing schedule is granted. Plaintiffs-Appellees response shall be filed on or before September 24, 2021, and Defendants-Appellants reply shall be filed on or before October 22, 2021.

SO ORDERED.


CATHY SEIBEL, U.S.D.J.

07/30/2021