

August 8, 2022

Via U.S. Mail

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The Honorable Charles S. Haight
Senior United States District Judge
Richard C. Lee United States Courthouse
141 Church Street
New Haven, Connecticut 06510

**Re: *Byrne et al. v. Charter Communications, Inc. et al.*,
Case No. 3:20-cv-00712-CSH**

Dear Judge Haight:

Counsel for Plaintiff David Kleuskens (“Decedent”) and Defendants Charter Communications, Inc., Charter Communications Operating LLC, Spectrum Mid-America, LLC and Spectrum Northeast, LLC (“Defendants”) jointly submit this letter to respectfully notify the Court that 90 days have elapsed since counsel for the Decedent filed a suggestion of death.

On May 2, 2022, counsel for the Decedent filed a suggestion of death (Doc. No. 92). Fed. R. Civ. P. 25(a)(1) requires that the action be dismissed if a motion for substitution is not made within 90 days after service of a statement noting the death.

The 90-day waiting period lapsed on Sunday, July 31 without anyone coming forward to substitute for the Decedent’s claim; accordingly “the action by ... the [D]ecedent must be dismissed.” Fed. R. Civ. P. 25(a)(1). On May 16, 2022, the remaining plaintiffs in this action also filed a Stipulation of Dismissal. (Doc. No. 93). Accordingly, the parties agree that this action must be dismissed.

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Respectfully submitted,

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Cc: Counsel of Record Via Email