



1313 North Market Street
P.O. Box 951
Wilmington, DE 19899-0951
302 984 6000
FAX: 302 658 1192
www.potteranderson.com

Peter J. Walsh, Jr.
Partner
Attorney at Law
pwalsh@potteranderson.com
302 984-6037 Direct Phone
302 658-1192 Fax

July 11, 2019

BY E-FILE

The Honorable Sam Glasscock, III
Court of Chancery
34 The Circle
Georgetown, Delaware 19947

RE: *Preston Hollow Capital, LLC v. Nuveen, LLC, et al.*,
C.A. No. 2019-0169-SG (Del. Ch.)

Dear Vice Chancellor Glasscock:

We are in receipt of the letter submitted by Preston Hollow yesterday regarding a government entity's purported request for the original audio recordings of the available Deutsche Bank telephone recordings. Preston Hollow's letter contains a number of inaccurate statements regarding the involvement of that government entity with this litigation and Nuveen's position on the release of the recordings to that entity. While we certainly can address these issues at the hearing, Preston Hollow's misstatements are sufficiently significant and troubling that we write to correct the record now.

Preston Hollow's letter states that a government entity "contacted Preston Hollow regarding the pending litigation," implying that this entity has taken the

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initiative to inquire about this matter. The truth, however, as Preston Hollow's counsel confirmed in writing yesterday (the same day they submitted their letter), is that they were the first to advise the government entity about the litigation. Their omission of this fact was deeply misleading and, we believe, part of Preston Hollow's consistent efforts to manipulate these proceedings.

Moreover, in communications with Preston Hollow's counsel, Nuveen indicated that it was not comfortable communicating with a government entity through counsel to its adversary in litigation on any issue, including consent to the production of the audio recordings. Nuveen made clear, however, that it was not withholding consent, and it would be happy to discuss the request directly with its source. Nuveen further requested that Preston Hollow provide the name of the supposed government contact or ask that the contact reach out to Nuveen directly. Notably, Preston Hollow has refused to disclose the identity of the purported government contact, and Nuveen has received no communication from any government entity regarding this matter.

Respectfully,

/s/ Peter J. Walsh, Jr.

Peter J. Walsh, Jr. (No. 2437)

Words: 280

PJW/slf:6304801

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cc: R. Judson Scaggs, Esq. (*via e-file*)
Thomas W. Briggs, Esq (*via e-file*)
Barnaby Grzaslewicz, Esq. (*via e-file*)
Elizabeth Mullin, Esq. (*via e-file*)
Sabrina M. Hendershot, Esq. (*via e-file*)
Joseph Cicero, Esq. (*via e-file*)