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VIA ECF

December 19, 2022

Catherine O'Hagan Wolfe
Clerk of the Court
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Everytown for Gun Safety Support Fund, et al. v. Bureau of Alcohol, Tobacco, Firearms, and Explosives, et al.*, No. 21-191 – Argument Heard on February 17, 2022

Dear Ms. Wolfe:

Plaintiffs-Appellees ("Plaintiffs") and Intervenor-Appellants ("Intervenors") submit this letter, pursuant to this Court's December 1, 2022 order, 21-191, No. 118, to alert the Court that the district court proceedings in this matter have concluded, *City of Syracuse, et al. v. Bureau of Alcohol, Tobacco, Firearms and Explosives, et al.*, 20-CV-6885-GHW (S.D.N.Y.) ("District Court Docket").

This Court has held this appeal in abeyance since February 2022, 21-191, No. 89, and has requested that the parties submit periodic status reports since that time. On May 6, 2022, the district court, at the request of the parties, administratively closed the district court proceedings. District Court Docket No. 136. On November 18, 2022, the district court lifted the administrative closure and ordered that, "If Plaintiffs wish to file an Amended Complaint, they must file a motion for leave to amend ... no later than December 9, 2022." District Court Docket No. 142.

On December 1, 2022, this Court ordered that this "appeal will continue to be held in abeyance pending the district court's consideration of a potential motion for leave to amend" and instructed the parties to "apprise this Court of any decision by the district court on any such motion no later than ten days after issuance of such a decision." 21-191, No. 118. On December 9, 2022, the parties to the district court proceedings entered a stipulation of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). District Court Docket No. 144. That day, the district court signed the stipulation and directed the clerk to close the case. District Court Docket No. 145. The district court case is now closed.

Because the district court proceedings have been voluntarily dismissed and the case closed, the Plaintiffs and Intervenors agree that this appeal is now moot and respectfully submit that this Court should dismiss this appeal accordingly.

The parties thank the Court for its attention to this matter.



Sincerely,

/s/ Kathleen R. Hartnett

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cc: All Counsel of Record (via ECF)