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VIA ECF

July 6, 2020

The Honorable Judge Lorna G. Schofield
United States District Court for the Southern District of New York
Court 1106
40 Foley Square
New York, New York 10007

Application GRANTED. The Final Approval Hearing is adjourned to **Thursday, October 29, 2020, at 10:50 a.m., and the related deadlines are extended by twenty-two days.**

Re: *Roberts v. Capital One, N.A.*, No. 16-cv-04841-LGS

**Dated: July 7, 2020
New York, New York**



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Dear Judge Schofield:

We jointly write on behalf of the parties in the above-captioned action, pursuant to Your Honor's Individual Rules and Procedures for Civil Cases, to respectfully request an extension of the deadlines set forth in the Court's Order Granting Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement (Dkt. 171), as amended in your Order dated April 13, 2020 (Dkt. 174).

The parties have continued to work together and based on the facts described below, we believe it is necessary with the Court's approval to reschedule the date for the Final Approval Hearing by **22 days**, and also to adjust the schedule of events leading up to that hearing. We are confident that with these adjustments to the schedule the case will be ready for your Final Approval. Completion of the Plaintiff's expert's analysis of account level transaction data necessary for determination of the accountholders in the Settlement Class unfortunately took longer than anticipated based on the complexity and volume of the data, which in turn has delayed the Notice Plan. That work is complete, Capital One then accomplished the necessary step of assigning personal identifying information of the Settlement Class members necessary to send them Notice, and has delivered the Settlement Class data to BrownGreer, LLC, the appointed Settlement Administrator to administer the Notice Plan. Challenges associated with the COVID-19 pandemic also impacted the completion of the work.

The parties have met and conferred, and consulted with the Settlement Administrator to confirm a timeline for completion of the Notice Plan, as specified in the Order.

This is the second extension sought of any of the deadlines in the Order. Below is a table which matches the event deadlines contained in the Order with the current deadlines and the parties' proposed deadlines. The schedule contemplates that the Court will be available on the date proposed for the Final Approval Hearing, but certainly we understand that you will advise if a different date is required. No changes to the forms of notice that you approved in the Order are required.

Event	Current Deadline	Proposed Deadline
Notice Program Complete (including Initial Mailed Notice and the Notice Re-Mailing Process)	Saturday, August 1, 2020 (60 before Final Approval Hearing)	Monday, August 24, 2020 (60 before Final Approval Hearing)

Event	Current Deadline	Proposed Deadline
Motion for Final Approval, Application for Attorneys' Fees, Expenses and Costs, and for a Service Award	Sunday, August 16, 2020 (45 before Final Approval Hearing)	Tuesday, September 8, 2020 (45 before Final Approval Hearing)
Opt-Out Deadline	Monday, August 31, 2020 (30 before Final Approval Hearing)	Wednesday, September 23, 2020 (30 before Final Approval Hearing)
Deadline to Submit Objections	Monday, August 31, 2020 (30 before Final Approval Hearing)	Wednesday, September 23, 2020 (30 before Final Approval Hearing)
Deadline to Respond to Objections	Tuesday, September 15, 2020 (15 before Final Approval Hearing)	Thursday, October 8, 2020 (15 before Final Approval Hearing)
Final Approval Hearing	Thursday, October 1, 2020 at 10:50 a.m.	Thursday, October 29, 2020, at 10:50 a.m. Friday, October 23, 2020 (or after based on availability) at __:00 __ a.m./p.m.

We appreciate the Court's consideration of this request.

Respectfully submitted,

/s/ Jonathan Streisfeld

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cc: Counsel of Record (via ECF)