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August 3, 2017

Via ECF

Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Courtroom 618
New York, New York 10007

Re: *Christiansen v Omnicom Group Inc., et al.*
Docket No. 15 cv 3440

Your Honor:

We represent the Defendant, Joe Cianciotto, in the above referenced matter. On August 3, 2017, Defendant-Appellees Omnicom Group, Inc., DDB Worldwide Communications Group, Inc., Peter Hempel, and Chris Brown (the “Corporate Defendants”) filed a response to Plaintiff’s counsel’s July 28, 2017 letter to the Court requesting that the stay Your Honor ordered on July 18, 2017 (the “Stay”) pending the Second Circuit’s resolution of Zarda v. Altitude Express, Inc., 855 F.3d 76 (2d Cir. 2017), reh’g en banc granted, No. 15-3775 (2d Cir. May 25, 2017) be lifted, or alternatively, that the Court hold a pre-motion conference and/or permit briefing on the issue of lifting the Stay. (See Dkt. 42 and 44).

Cianciotto adopts the Corporate Defendants’ response letter as his own, joining *in toto*. Additionally, to the extent we make a motion to dismiss, which is likely as we believe there are claims that should be dismissed, that motion may be affected by the Zarda decision. Thus, waiting makes more sense than possibly addressing multiple motions to dismiss.

If you have any questions, please feel free to contact our office.

Respectfully submitted,

_____/s/_____
RICK OSTROVE

cc: All Counsel (via ECF)