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April 25, 2014

**By ECF**

Hon. Richard J. Sullivan  
United States District Judge  
United States Courthouse  
40 Foley Square,  
New York, NY 10007

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Re: *Ballinger, et al. v. Advance Magazine Publishers Inc.*, 13-civ-4036 (RJS)

Dear Judge Sullivan:

The parties in the above-referenced matter jointly submit this letter to provide the Court with an update in accordance with Your Honor's April 18, 2014 Order.

Defendant has been preparing a detailed settlement agreement, which it will provide to Plaintiffs for their review no later than May 2nd. Barring any major issues, the parties anticipate that they should be able to finalize the agreement within 30 days. Plaintiffs will move for preliminary approval of the settlement within 14 days of the execution of the agreement.

With respect to Plaintiffs' pending motion for conditional certification and notice and Defendant's motion to strike, the parties request that the Court hold the motions in abeyance pending final approval of the settlement. If the settlement is approved, we request that the Court dismiss the motions as moot.

Finally, we wanted to let the Court know that the parties have filed a Consent to refer this action to Magistrate Judge Pitman.

Thank you for your attention to this matter.

Respectfully Submitted,

Elise M. Bloom

cc: Hon. Harold Pitman  
Rachel Bien, Esq.