

EXHIBIT F

Devlin, Michael P.

From: Adam Moskowitz <Adam@moskowitz-law.com>
Sent: Friday, January 20, 2023 11:46 PM
To: Glueckstein, Brian D.
Cc: Joseph Kaye; aboies@bsfllp.com; David Boies2; Dietderich, Andrew G.; Linda Carlsen; Bromley, James L.; dboies@bsfllp.com; Brooke Alexander; Howard Bushman; Barbara C. Lewis; Alex Boies; szack@bsfllp.com; Marc V. Ayala; Jose Ferrer; Stephen A. Best
Subject: [EXTERNAL] Re: Sullivan & Cromwell LLP Served [Cuban + FTX cases]

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you Brian and I am sorry that you decided to now raise any issues with the subpoena that we properly served on your client last year. We will be arriving at your offices in NY on Friday at 9am, unless you have Judge Reid in our Voyager litigation quash our subpoena. Too much is happening quickly now with Sullivan Cromwell on a daily basis, and are under a tight deadline to possibly amend our complaint, so we cannot wait. We are more than happy to talk via Zoom next week.

We also just filed our motion for partial summary judgment in our state FTX case before Judge Hanzman (where your subpoena was also issued from), he has set a hearing in March. Thanks, Adam

Sent from my iPhone

On Jan 20, 2023, at 7:24 PM, Glueckstein, Brian D. <gluecksteinb@sullcrom.com> wrote:

Mr. Moskowitz,

To be clear, no representative of Sullivan & Cromwell will be appearing for deposition next week. Nor do we intend to appear in your litigations pending in Florida, where there is no jurisdiction over Sullivan & Cromwell with respect to these third party subpoenas.

Furthermore, neither your correspondence or the subpoenas provide any justification as to why discovery from Sullivan & Cromwell would be appropriate in any event, or why you believe we would have any relevant information. Sullivan & Cromwell has never represented Voyager and, as detailed in the voluminous public disclosures in connection with our recent retention in the FTX Debtors' chapter 11 cases, Sullivan & Cromwell has not represented any FTX entity on matters at issue in your litigation.

Regards,
Brian

Brian D. Glueckstein
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From: Adam Moskowitz <Adam@moskowitz-law.com>

Sent: Friday, January 20, 2023 6:23 AM

To: Glueckstein, Brian D. <gluecksteinb@sullcrom.com>

Cc: Joseph Kaye <joseph@moskowitz-law.com>; aboies@bsfllp.com; David Boies2 <xboies@gmail.com>; Dietderich, Andrew G. <dietdericha@sullcrom.com>; Linda Carlsen <lcarlsen@bsfllp.com>; Bromley, James L. <bromleyj@sullcrom.com>; dboies@bsfllp.com; Brooke Alexander <balexander@bsfllp.com>; Howard Bushman <Howard@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Alex Boies <aboies@bsfllp.com>

Subject: [EXTERNAL] Re: Sullivan & Cromwell LLP Served [Cuban + FTX cases]

Brian: First, we wanted to again reiterate that we are set to take your deposition on January 27th, starting at 10am. We will be at your offices in NY at 9am, ready to set up the video deposition to start at 10 am.

So that your witness can be best prepared, we attach a copy of a recent Declaration, that was submitted this week in the bankruptcy.

We will focus our inquiry on issues relating to (including, but not limited to), whether the interest accounts were considered “unregistered securities”, the identity of these “billionaires” that were contacted by FTX and the knowledge of SC of various events. Thanks, Adam



[johnreedstark.com]FriedbergObjection

[johnreedstark.com]

PDF Document · 322 KB

[johnreedstark.com]

Sent from my iPhone

On Jan 17, 2023, at 9:27 PM, Adam Moskowitz <Adam@moskowitz-law.com> wrote:

Thanks Brian:

Attached again are copies of the Return of Service and Subpoenas, from both of our pending FTX and Voyager cases. As you know, our Law Firms are prosecuting the only proposed class actions for both Voyager and FTX customers in the country,

There is no dispute that we properly served Your Firm with these Subpoeas, and the deposition is set for January 27th at 10am, requesting certain, specific documents. In that you Firm is now very invovled in some of the FTX cases, we are certainly amenable to proceeding with the depositon (we will set it at Boies, Schiller in NY or will be glad to set it in your conference room if you let us know by this Friday), while we continue to discuss the responsive documents, unless you can have all the docuements ready for us to review by next week.

It appears that S&C's clients recevied over \$1 billion in funding from the FTX entities, but for our immediate Voyager case, we are most interested in just those companies that S&C represented, where Mark Cuban and/or Voyager were directly invovled (like in Polygon). Both the Voyager/Mavericks Partnership and Polygon were actively promoted and marketed by Mr. Cuban on his Dallaas Mavericks website. In our FTX cases, we will certainly need to reivew much more of the responsive materials, so we are glad to take this overview depositon on January 27th, and that will help us work out an agreed schedule for the documents. We also agreed to give notice to our defendants, so we need to finalize the pkans this week.

We will be requesting time this week with Judge Reid to discuss some discovery matters in our pending federal Voyager case, so just let us know tomororow if we should include reserving some time to discuss our S&C subpoena. We can also seek relief from Judge Hanzman in our state FTX case.

Thanks, Adam and David

From: Glueckstein, Brian D.

<gluecksteinb@sullcrom.com<<mailto:gluecksteinb@sullcrom.com>>>

NYSCEF DOC. NO. 7

RECEIVED NYSCEF: 01/31/2023

Sent: Monday, January 16, 2023 6:34:33 PM

To: Adam Moskowitz <Adam@moskowitz-law.com<mailto:Adam@moskowitz-law.com>>

Cc: Joseph Kaye <joseph@moskowitz-law.com<mailto:joseph@moskowitz-law.com>>; aboies@bsflp.com<mailto:aboies@bsflp.com>

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Subject: RE: Served: Sullivan & Cromwell LLP [Cuban + FTX cases]

Mr. Moskowitz,

I am receipt of your email but do not have the documents referenced as being served. Can you please email me a copy of the subpoenas referenced for our review and consideration? Pending that review, S&C reserves all rights.

Regards,
Brian

Brian D. Glueckstein

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From: Adam Moskowitz <Adam@moskowitz-law.com<mailto:Adam@moskowitz-law.com>>

Sent: Thursday, January 12, 2023 8:55 PM

To: Glueckstein, Brian D.

<gluecksteinb@sullcrom.com<mailto:gluecksteinb@sullcrom.com>>; Dietderich, Andrew G. <dietdericha@sullcrom.com<mailto:dietdericha@sullcrom.com>>;

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Subject: [EXTERNAL] Served: Sullivan & Cromwell LLP [Cuban + FTX cases]

Dear Andrew, Brian and Rodgin: David and I are writing to you three because you were involved in representing FTX USA in the Voyager asset purchase and are involved in your Firm's management. Attached are the Verified of Services of the Subpoena that we previously served upon Sullivan & Cromwell LLP last year, and we expected to hear back from your counsel (on the best dates and locations) but to date, we have not been contacted.

We set the deposition for January 27 at 10am and suggested it could be by Zoom for ease of convenience (although if we proceed in NY, we will also attend in person). We wanted to amicably agree upon a set date for all of the responsive documents, so we only have to take this deposition once. We have Notices and issued a subpoena for this deposition, in both our federal pending Voyager class case before Judge Altman, as well as our pending Florida state FTX case before Judge Hanzman.

Please contact us (or have your counsel represent us) this week, so that we can discuss planning for this upcoming deposition and avoid anyone missing any dates and/or any confusion. We have regular discovery hearings in our federal case with Magistrate Reid, so we can set a hearing if in that case if necessary in that case and/or we can set a hearing in our pending state FTX case.

We certainly understand that your Firm is now the subject of many more activities regarding this work and thus want to coordinate a convenient time that is good for both you and your clients.

Thanks, Adam and David Boies

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**This is an external message from: Adam@moskowitz-law.com<mailto:Adam@moskowitz-law.com> **

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