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June 19, 2024

BY ECF AND ELECTRONIC MAIL

The Honorable Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 618
New York, New York 10007

Walmart Inc., et al. v. Capital One, N.A., 23-cv-02942 (KPF)

Dear Judge Failla:

The undersigned counsel represent Plaintiffs Walmart, Inc., Wal-Mart Stores East, LP, Wal-Mart Louisiana, LLC, Wal-Mart Stores Texas, LLC, Wal-Mart Stores Arkansas, LLC, Wal-Mart Puerto Rico, Inc., Wal-Mart.com USA, LLC, and Walmart Apollo, LLC (collectively, “Walmart”) and Defendant Capital One, National Association (“Capital One”) (collectively, “the Parties”) in the above-captioned matter. We write pursuant to the Court’s April 18, 2024 Order, directing the Parties to file a joint letter by June 19, 2024 “regarding the status of their ongoing settlement negotiations.” (ECF No. 121).

The Parties have agreed to a settlement that will resolve all their respective claims in this matter. Concurrently with the submission of this letter, the Parties are filing with the Court a stipulation of voluntary dismissal, dismissing the above-referenced action with prejudice as to all claims and counterclaims. The Parties respectfully request that the Court “so order” the stipulation filed with the Court.

The Parties appreciate the Court’s continued attention to this matter and are happy to provide any information helpful to the Court.

Respectfully submitted,

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