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July 7, 2025

United States District Court
Southern District of New York
Attn.: Judge Colleen McMahon

**Re: Todd C. Bank v. NFL Properties LLC
Case 1:25-cv-03981-CM**

Dear Judge McMahon:

I, the plaintiff in the above-referenced matter, respectfully request permission to submit, in response to the reply brief (Doc. 31) of Defendant, NFL Properties LLC (“NFLP”), in support of its dismissal motion, a sur-reply of up to 27 pages. On July 3, I emailed the following to NFLP’s counsel: “I anticipate requesting permission to submit a sur-reply of up to 20 pages regarding NFLP’s dismissal motion. Please let me know if NFLP consents. If NFLP does not consent, please let me know if it consents to my submission of some other number of pages” (at the time, I had anticipated that my sur-reply would not exceed 20 pages). Today, NFLP’s counsel responded as follows: “NFLP does not consent to a sur-reply of any length.”

I will not mince words, Judge McMahon. NFLP’s reply brief contains numerous factual and legal misrepresentations; and, although the reply was ten pages, it would have been inadequate for me to engage in the equivalent of a “he-said, she-said” type of sur-reply. Instead, the sur-reply that I am prepared to submit lays out in detail the bases of the statement that I have just made (but with no more detail than I believe necessary).

The Court granted my previous request to submit an opposition brief of 40 pages (Order dated June 21, Doc. 26). I truly appreciated that generosity, and I am less than fully comfortable asking for more of it, but my need to have the Court presented with the truth compels me to ask for it once again.

I assure the Court that it would find my sur-reply to be helpful and accurate.

Sincerely,

s/ Todd C. Bank

Todd C. Bank