

EXHIBIT “A”

From: [Allison R. Greenfield](#)
To: [Scott.musoff@Skadden.com](#); [Clifford Robert](#); [dzensky@akingump.com](#); [cmatheson@mmlawus.com](#); [rfigel@khhte.com](#); [Alina Habba, Esq.](#); [Jonathan.Streeter@dechert.com](#); [Wallace, Kevin](#); [Michael Farina](#); [Handley, Wil](#); [jfriesen@zukermangore.com](#); [astevens@winston.com](#); [Amer, Andrew](#); [Michael Madaio](#); [Faherty, Colleen](#); [Gaber, Sherief](#); [Kennedy, John P.](#); [Solomon, Louis](#); [Haren, Eric](#); [Finkelstein, Alex](#); [Scott.OConnell@hklaw.com](#); [kturner@wc.com](#)
Cc: [Hon. Arthur Engoron](#); [Garth A. Johnston](#)
Subject: POTENTIAL SANCTIONS FOR FRIVOLOUS LITIGATION
Date: Wednesday, January 4, 2023 1:39:04 PM

Dear Counselors:

Below please find a message from Justice Engoron. As his last email indicated problems with delivery, we are resending in an abundance of caution.

Dear Counselors:

Upon thoroughly reviewing the papers in support of some defendants' pending motions to dismiss, this Court is considering imposing sanctions for frivolous litigation against attorneys from Habba Madaio & Associates LLP; Continental PLLC; and Robert & Robert PLLC, for setting forth the same legal arguments that this Court previously rejected (i.e., standing to sue, capacity to sue, the Mazars' disclaimers, and the "witch-hunt" argument). As this Court alluded to at the oral argument on the preliminary injunction, said defendants are making the same arguments based on the same facts and the same law, and thus would appear to be subject to issue and/or claim preclusion (law of the case).

As 22 NYCRR 130-1.1 provides that, before a court may sua sponte order sanctions, the attorney(s) must be given a reasonable opportunity to be heard, please consider this email such reasonable opportunity. Counselors have until tomorrow to respond.

Justice Engoron

Allison R. Greenfield
Principal Law Clerk to Hon. Arthur F. Engoron
New York County Supreme Court
60 Centre Street, Courtroom 418
New York, New York 10007
(646) 386-4374