

# Akin Gump

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VIA HAND DELIVERY AND E-FILING

Hon. Eileen Bransten  
Supreme Court, New York County  
60 Centre Street, Room 521  
New York, NY 10007

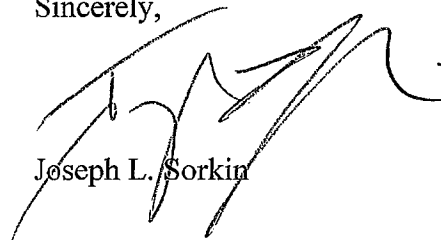
Re: *Eros Int'l PLC v. Mangrove Partners, et al.* (Index No. 653096/2017)

Dear Justice Bransten:

We represent Mangrove Partners and Nathaniel August (the “Mangrove Defendants”). At the end of oral argument on the Defendants’ Motions to Dismiss on February 14, 2018, in the context of discussing the statute of limitations for defamation, you asked whether referring or linking to a prior online statement constitutes a “republication” of that content.

The Mangrove Defendants never referred or linked to their 2015 Reports in their subsequent 2017 Report or 2017 tweets, nor is there any allegation in the Complaint that the Mangrove Defendants ever did. Under these facts, the Court of Appeals has held that the “single publication rule” applies to publications on the internet, such that the mere fact that readers may have continuous access to a report posted online is not considered a republication. *See Firth v. New York*, 98 N.Y.2d 365, 371-72 (2002). Accordingly, there is no potential republication by the Mangrove Defendants, and the 2015 Reports remain outside of the limitations period for any defamation claim.

Sincerely,



Joseph L. Sorkin

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