

CLEARY GOTTlieb STEEN & HAMILTON LLP

AMERICAS
NEW YORK
SAN FRANCISCO
SÃO PAULO
SILICON VALLEY
WASHINGTON, D.C.

ASIA
HONG KONG
SEOUL

One Liberty Plaza
New York, NY 10006-1470
T: +1 212 225 2000
F: +1 212 225 3999
clearygottlieb.com

D: +1 212 225 2950
jkim@cgsh.com

EUROPE & MIDDLE EAST
ABU DHABI
BRUSSELS
COLOGNE
LONDON
MILAN
PARIS
ROME

August 24, 2026

VIA CM/ECF

Hon. Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. The New York and Presbyterian Hospital*, No. 26 Civ. 02480 (S.D.N.Y.)

Dear Judge Engelmayer:

We provide this joint status update on behalf of The New York and Presbyterian Hospital (“NYP”) and the United States on the three categories of documents that are subject to the United States’s motion to compel, dated July 27, 2026 (ECF 43). In NYP’s response, which the Court endorsed, NYP committed to produce materials in response to these requests over the last two weeks and to update the Court on the status of these efforts (ECF 56).

The parties are engaging in good faith and making good progress towards the resolution of the disputes arising from the issues underlying the motion. NYP has made productions of materials responsive to Request 1, which asks for organizational charts, and Request 3, which asks for agreements with commercial payors. The United States needs to audit those productions to assess whether they appear complete.

With respect to Request 4, which asks for Board materials, NYP has not yet produced all responsive Board materials, though it has commenced producing documents on a rolling basis, and another production is anticipated within two weeks. NYP has sought to meet-and-confer with the United States regarding categories of Board materials to potentially de-prioritize or defer. The United States is willing to consider reasonable modifications but this process has not yet played out.

The parties respectfully propose to submit a further joint status report in two weeks on Tuesday, September 8, to enable the parties to continue to make progress toward the production of the documents that are the subject of the motion to compel.

Hon. Paul A. Engelmayer, p. 2

Respectfully submitted,

/s/ Joon H. Kim

Joon H. Kim

cc: All counsel of record via ECF