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August 2, 2013

VIA FEDERAL EXPRESS

Hon. William K. Suter
Clerk of the Court
U.S. Supreme Court
One First Street, NE
Washington, DC 20543

**Re: *Martin v. Blessing*, No. 13-_____;
Notice of Disinterested Parties (Rule 12.6)**

Dear General Suter:

Pursuant to this Court's Rule 12.6, petitioner Nicolas Martin hereby notifies the Court of appellant-objectors in consolidated Second Circuit proceedings who not interested in the Martin's petition within the meaning of Rule 12.6.

By way of background, the underlying litigation involves a class-action that the defendant and class representatives sought court leave to settle. Martin and the parties listed below are non-named class members who objected to the terms of the settlement under FED. R. CIV. P. 23(e)(5) and filed their respective appeals of the district court's approval of the settlement over their respective objections. The Second Circuit consolidated the various appeals in *Blessing v. Sirius XM Radio Inc.*, Nos. 11-3696-cv (Lead), 11-3729-cv (Con), 11-3834-cv (Con), 11-3883-cv (Con), 11-3908-cv (Con), 11-3910-cv (Con), 11-3916-cv (Con), 11-3965-cv (Con), 11-3970-cv (Con), 11-3972-cv (Con) (2d Cir.) and affirmed the district court's approval of the settlement. That court then denied rehearing *en banc* by order dated March 5, 2013.

Under the circumstances, the time within which to file a petition for a writ of *certiorari* ran on June 3, 2013. By order dated May 23, 2013, however, Justice Ginsburg extended until August 2, 2013, the time within which Martin could petition for a writ of *certiorari*. *Martin v. Blessing*, No. 12A1127 (U.S.). Under the circumstances, the other appellants-objectors from the Second Circuit proceedings – who all opposed the same settlement that Martin opposes – are now jurisdictionally barred from petitioning for a writ of *certiorari*, and their interests are opposite those of the respondents here who support that settlement (namely, Sirius and the named class plaintiffs) and who will support the settlement here.

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The disinterested appellants-objectors in the Second Circuit are listed in note * on page ii of the petition, and they are:

Marvin Union, Adam Falkner, Jill Piazza, Ken Ward, Ruth Cannata, Lee Clanton, Craig Cantrall, Ben Frampton, Kim Frampton, Joel Broida, John Sullivan, Sheila Massie, Jason M. Hawkins, Steven Crutchfield, Scott D. Krueger, Asset Strategies, Inc., Charles B. Zuravin, And Jennifer Deachin, Randy Lyons, Tom Carder, John Ireland, Jeannie Miller, Michael Hartleib, Brian David Goe, Donald K. Nace, and Christopher Batman.

As required by Rule 12.6, petitioner will serve this notice on the foregoing appellants-objectors from the Second Circuit consolidated cases, as well as on the respondents to this proceeding.

* * * * *

Please contact me at 202-355-9452 with any questions about this matter.

Yours sincerely,

/s/ Lawrence J. Joseph

Lawrence J. Joseph
*Counsel of Record for
Petitioner Nicolas Martin*

cc: Theodore H. Frank, Center for Class Action Fairness
Adam Ezra Schulman, Center for Class Action Fairness
Counsel of Record (Certificate of Service attached)