

No. S277893

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

ANOTHER PLANET ENTERTAINMENT, LLC,
Petitioner,

vs.

VIGILANT INSURANCE COMPANY,
Respondent.

Review of Question of California Law
Certified by the United States
Court of Appeals for the Ninth Circuit
Case No. 21-16093

***AMICI CURIAE* MAJOR LEAGUE BASEBALL AND NATIONAL
HOCKEY LEAGUE'S NOTICE OF ERRATA TO *AMICUS* BRIEF**

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Major League Baseball and
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Amici curiae Major League Baseball (MLB) and the National Hockey League (NHL), through counsel, respectfully notify this Court of a typographical error in their *amicus* brief in support of Petitioner Another Planet Entertainment, LLC filed on August 2, 2023. At page 13 of the *amicus* brief, in the discussion of cases relied upon by Respondent Vigilant Insurance Company, the word “not” was inadvertently omitted. The full sentence should appear as follows:

While those different facts do not render those decisions correctly decided, insureds such as MLB and NHL have particularly strong claims for coverage due to the unusual nature of their businesses and properties: Unlike many businesses, professional sports games cannot be played at home, and fan attendance cannot be staggered throughout a day or week since fans attend only during the hours when a game is played.

DATE: October 11, 2023

Respectfully submitted,

COVINGTON & BURLING LLP

By: /s/ Rani Gupta

Rani Gupta

*Attorneys for Amici Curiae
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PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action. My business address is 415 Mission Street, Suite 5400, San Francisco, CA 94105. On October 11, 2023, I served the following document described as:

- ***AMICI CURIAE MAJOR LEAGUE BASEBALL AND NATIONAL HOCKEY LEAGUE'S NOTICE OF ERRATA***

on the interested parties in this action as follows:

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(BY TRUEFILING) By filing and serving the foregoing through Truefiling such that the document will be sent electronically to the eservice list on October 11, 2023; and

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(BY MAIL) By causing the document to be sealed in an envelope addressed to the recipients above, with postage thereon fully prepaid, and placed in the United States mail at San Francisco, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this proof of service is executed at San Francisco, California on October 11, 2023.



Ellen Chiulos

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **ANOTHER PLANET ENTERTAINMENT v. VIGILANT INSURANCE
COMPANY**

Case Number: **S277893**

Lower Court Case Number:

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

10/11/2023

Date

/s/Rani Gupta

Signature

Gupta, Rani (296346)

Last Name, First Name (PNum)

Covington & Burling LLP

Law Firm
