



Lisa Borodkin <lborodkin@gmail.com>

To: "<david@ripoffreport.com>" <david@ripoffreport.com>, Maria Crimi Speth <mcs@jaburgwilk.com>



Lisa Borodkin <lborodkin@gmail.com>

Meet and confer

Maria Crimi Speth <mcs@jaburgwilk.com>

Wed, Jul 7, 2010 at 3:57 PM

To: Lisa Borodkin <lborodkin@gmail.com>, david@ripoffreport.com

Cc: Daniel Blackert <blackertesq@yahoo.com>, "paul@berra.org" <paulsberra@gmail.com>

First, neither your voice message nor your email responded to our inquiry regarding moving the July 12th deadlines one week. What is your position on that?

With respect to an ex parte motion, this appears to relate to the same issues that we talked about more than a week ago when you asked about a Rule 56(f) motion. We also talked about this last week when you asked to meet and confer about the additional deposition of Ed Magedson. Our position remains the same -- under Rule 56(f), you are required to identify the discovery that you want and you are required to explain why that discovery is relevant to the pending motion. Based on our discussions, we do not understand how any of the requested discovery relates to or would affect anything in our motion. For example, you indicated that you needed to know the number of people in the CAP program as part of your proof of a pattern. Yet, our summary judgment motion does not argue that there is a lack of a pattern. As such, evidence on this issue is entirely irrelevant and immaterial to our motion.

Because you are required to meet and confer with us in good faith before bringing your motion, we would like to renew our request that you explain to us in writing what discovery you need and why it is relevant to the summary judgment motion. To the extent you intend to seek ex parte relief, defendants oppose your motion, expect that you will provide proper notice, and intend to appear in person at any hearing.

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From: Lisa Borodkin [mailto:lborodkin@gmail.com]**Sent:** Wednesday, July 07, 2010 3:24 PM**To:** <david@ripoffreport.com>; Maria Crimi Speth**Cc:** Daniel Blackert; paul@berra.org**Subject:** Re: Meet and confer

David and Maria,

I left messages for both of you returning your call today, which I understand was to seek extensions to the deadlines for submitting various pre-trial filings.



Lisa Borodkin <lborodkin@gmail.com>

Meet and confer

Lisa Borodkin <lborodkin@gmail.com>

Wed, Jul 7, 2010 at 4:08 PM

To: Maria Crimi Speth <mcs@jaburgwilk.com>

Cc: david@ripoffreport.com, Daniel Blackert <blackertesq@yahoo.com>, "paul@berra.org" <paulsberra@gmail.com>

We are moving for sanctions.

Pursuant to Local Rule 7-19 it is my duty to advise you that we intend to file the ex parte application today or tomorrow for submission July 9, 2010.

Thank you for your position on opposition and request to be present. Although Judge Wilson does not hear ex parte applications, I believe you are entitled to notice and a hearing on the request for sanctions. We will request a hearing date for that in our application.

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