## UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

SCOTT SIDELL

Plaintiff.

3:08-cv-710 (VLB)

V.

STRUCTURED SETTLEMENT INVESTMENTS, :
LP, PLAINTIFF FUNDING HOLDING, INC. :
(D/B/A "LAWCASH"), DENNIS SHIELDS, :
HARVEY HIRSCHFELD, RICHARD PALMA, :
and SCOTT YUCHT :

Defendants.

**September 17, 2008** 

## REPLY TO OBJECTION TO AMENDED MOTION FOR STATUS AND SCHEDULING CONFERENCE

Plaintiff Scott Sidell ("Sidell") hereby replies to the Defendants' Memorandum in Opposition to Plaintiff's Amended Motion for Status and Scheduling Conference ("Motion for Conference") dated September 9, 2008. It is frankly surprising that the Defendants would oppose Plaintiff's Motion for Conference as the clear purpose of such a conference is to aid the Court in resolving the several motions pending before it.

It is telling that the Defendants demand that the Court simply grant their Motion to Compel Arbitration, or Alternatively, to Dismiss without oral argument or considering any of the other pending motions, including the Motion to Disqualify and Motion for Discovery. The Defendants and their lawyers are apparently eager to avoid having to appear in court and explain their conduct.

The Defendants misrepresent the Arbitrator's Order #9, which noted that there were issues relating to the actions of defense counsel that are at issue in both this action and the Arbitration. It is beyond dispute that the post-termination violations of Sidell's privacy rights are not subject to Arbitration, as Sidell's Employment Agreement does not require arbitration of post-termination torts, and even if it did, the Defendants waived any right to arbitration of these claims.

Further, the desire of the Defendants and their lawyers to place all of the blame on Mr. Yucht, essentially throwing him under the bus, for the egregious invasion of Sidell's privacy demonstrates the need for further discovery and highlights the inherent conflict of interests in this case between and among the Defendants and their lawyers.

Accordingly, the Plaintiff respectfully requests that the Court schedule a status conference which will allow for the expeditious resolution of the numerous pending motions in this action.

Respectfully Submitted,

THE PLAINTIFF, SCOTT SIDELL,

Bv:

David A. Slossberg [ct13116]

Russell A. Green [ct 14976]

Hurwitz, Sagarin, Slossberg & Knuff, LLC

147 North Broad Street

P.O. Box 112

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## **CERTIFICATE OF SERVICE**

I hereby certify that on this date I caused a copy of the foregoing MOTION FOR STATUS AND SCHEDULING CONFERENCE to be filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will by sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF system.

Russell A. Green