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July 13, 2009

Service via ECF

Hon. Dennis M. Cavanaugh, U.S.D.J.
United States District Court
U.S. P.O. & Courthouse Building
Federal Square
Newark, NJ 07101

Re: *Deborah Fellner, Individually and on Behalf of Those Similarly Situated v. Tri-Union Seafoods, L.L.C., d/b/a Chicken of the Sea*
Civil Action No. 06-CV-688 (DMC)
RE: PENDING MOTION TO DISMISS (3 Day Reply Adjournment)

Dear Judge Cavanaugh:

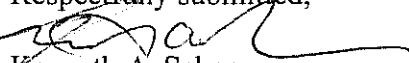
We represent defendant Tri-Union Seafoods, LLC d/b/a/ Chicken of the Sea ("Tri-Union") in the above matter.

Tri-Union filed a motion to dismiss plaintiff's complaint pursuant to Fed R. Civ. P. 12(b)(6) which is currently returnable on July 20, 2009. Pursuant to the Local Rules our reply papers are currently due today. However, we respectfully request that the Court permit Tri-Union a three day extension of time to file its reply papers by no later than July 16, 2009 to accommodate counsel so that we can adequately address the arguments raised in opposition to the motion.

Previously, this Court granted plaintiff's request for an additional two weeks to respond to the motion, and plaintiff has confirmed they have no objection to the instant request for an extension of time. We request that the Court provide confirmation that this adjournment will be permitted, and note that Your Honor's clerk Mr. Jeremy Farrell directed graciously that we post this letter to the docket.

Thank you very much for your cooperation.

Respectfully submitted,


Kenneth A. Schoen
(KS-7180)

cc: Barry R. Eichen, Esq. (via ECF)