




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December 6, 2011

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Honorable Joseph A. Dickson,
 United States District Court
 Martin Luther King, Jr. Federal Building & U.S. Courthouse
 50 Walnut Street
 Newark, NJ 07101

Re: Deborah Fellner v. Tri-Union Seafoods, LLC
 Civil Action No. 06-CV-688

Dear Judge Dickson:

This firm represents Plaintiff, Deborah Fellner in the above captioned matter. An in-person status conference in this matter is scheduled before Your Honor on December 7, 2011 at 11:00 AM. In advance of that conference, Your Honor has requested that the parties meet and confer to try and reach an agreement regarding Defendant's concerns in responding to Plaintiff's discovery demands. Your Honor advised that if an agreement was not reached, the parties are to file via ECF, their positions on that matter.

Defendant claims that as a result of the way it stores its documents, any search for documents or information responsive to Plaintiff's requests would be prohibitively expensive. No matter how narrow Plaintiff's requests, Defendant claims it would still incur substantial cost to sort through its document collection.

On December 2nd & 5th, the parties held teleconferences concerning this matter. Defendant offered that it may be able to reduce the cost of production if Plaintiff agreed to exclude certain categories of documents from her request. Even with such a concession, Defendant claims that its discovery costs would not be low enough that it would be willing to bear those costs alone.

As a further compromise, I have suggested what I believe to be a practical and hopefully effective solution to the issue. The Defendant has been named as a Defendant in similar litigation in other areas of the country. Presumably, these cases have necessitated the culling and assembling of responses to various discovery demands. I suggest that initially we simply be

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provided with the discovery provided to the adversaries in those cases as well as any material assembled but not served.

Certainly, the Plaintiff may need to demand additional documentation tailored more closely to the issues in the present case. However, those issues can be addressed after the Defendant produces documents from other related tuna/mercury litigation. In this manner the Defendant's initial costs will likely be negligible.

Thank you for your consideration of this issue.

Respectfully submitted,


EDWARD MCELROY