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December 13, 2005

The Honorable Kiyu A. Matsumoto
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East, Room 208
Brooklyn, NY 11201

OUR FILE NUMBER
619,808-23
1614577

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Re: *Shez Jackson v. Sterling Mets, L.P., Jeffrey Wilpon and David Cohen, No. 04 CV 5407 (SJF) (KAM)*

Dear Judge Matsumoto:

This law firm represents the defendants in the above-referenced matter.

The parties in this matter jointly submit this letter to respectfully request an adjournment of the settlement conference that is currently scheduled for December 19, 2005. This is the parties' first request for an adjournment of this conference. At the last conference on November 1, 2005, Your Honor indicated that although a settlement conference was being calendared for December 19th, such a conference might be premature and could be adjourned to a later date. The parties believe they are too far apart for meaningful settlement discussions at this time. Further, the parties have agreed to a reasonable extension of time to respond to each other's discovery requests, which are extensive and comprehensive. Once the parties have had the opportunity to review and digest each other's discovery responses and documents, we believe we will then be better situated to engage in meaningful settlement discussions. In light of the foregoing and the impending holidays, we respectfully request an adjournment of the settlement conference until late January or early February 2006.

Very truly yours,

Eliza A. Kaiser
for O'MELVENY & MYERS LLP

cc: William Sipser, Esq.
Attorney for Plaintiff