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December 21, 2005
The Honorable Kiyoo A. Matsumoto
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East, Room 208
Brooklyn, NY 11201

*Fact discovery shall close
on February 28, 2006.*
[Signature]
U.S.M.J. 12/21/05

OUR FILE NUMBER
619,808-23
1615648

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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 clarification regarding the fact discovery schedule. During the conference held on November 1, 2005, your Honor scheduled fact discovery to conclude on February 28, 2006. The Court's Order dated November 1st, however, contained a typographical error, providing that "fact discovery shall be concluded by 12/28/06." Following our recent letter to the Court requesting an adjournment of the settlement conference calendared for December 19, 2005, the Court, in an Order dated December 14, 2005, rescheduled the conference to February 9, 2006. However, apparently as a result of the typographical error in the November 1st Order, the December 14th Order stated that "fact discovery must be extended to 1/31/06," which actually reduced the time for discovery by approximately one month. We would greatly appreciate confirmation from the Court concerning the original February 28, 2006 fact discovery cutoff date.

Very truly yours,

Eliza Kaiser
Eliza A. Kaiser
for O'MELVENY & MYERS LLP

cc: William Sipser, Esq.
Attorney for Plaintiff

Defendants
**MOVANTS COUNSEL IS DIRECTED
TO SERVE A COPY OF THIS ORDER
ON ALL PARTIES UPON RECEIPT.**