



O'MELVENY & MYERS LLP

BEIJING
BRUSSELS
CENTURY CITY
HONG KONG
LONDON
LOS ANGELES

Times Square Tower
7 Times Square
New York, New York 10036
TELEPHONE (212) 326-2000
FACSIMILE (212) 326-2061
www.omm.com

NEWPORT BEACH
SAN FRANCISCO
SHANGHAI
SILICON VALLEY
TOKYO
WASHINGTON, D.C.

January 27, 2006

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

OUR FILE NUMBER
619,808-23
1621990

WRITER'S DIRECT DIAL
(212) 326-2239

WRITER'S E-MAIL ADDRESS
ekaiser@omm.com

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 extension of fact discovery in light of the Court's Order on January 25, 2006 referring the case to mediation. Fact discovery is currently scheduled to close on February 28, 2006. The parties request that fact discovery be extended to May 16, 2006 to permit the parties sufficient time to schedule the mediation and then, if necessary, complete fact discovery in the event that mediation is unsuccessful. The parties jointly believe that having the mediation prior to engaging in extensive and costly discovery may enhance the chances of successfully resolving this matter. This is the parties' first request for an extension of fact discovery. Attached please find a proposed revised scheduling order.

Respectfully submitted,

Eliza A. Kaiser
for O'MELVENY & MYERS LLP

cc: William Sipser, Esq.
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SHEZ JACKSON,

Plaintiff,

-against-

STERLING METS, L.P., JEFFREY WILPON
and DAVID COHEN,

Defendants.

Index: 04 CV 5407 (SJF) (KAM)

**PROPOSED REVISED SCHEDULING
ORDER**

The disposition of this case will be controlled by the following schedule and deadlines:

1. Date for completion of automatic disclosures required by Rule 26 (a)(1) of the Federal Rules of Civil Procedure, if not yet done: N/A (already done)
2. Date for exchange of written discovery demands, if not yet done: N/A (already done)
3. Date for completion of factual discovery: May 16, 2006
4. Date for plaintiff's expert report(s): June 16, 2006
5. Date for defendants' expert report(s): July 17, 2006
6. Date for completion of expert discovery: August 17, 2006

Dated: January 27, 2006

The Honorable Kiyoo Matsumoto
United States Magistrate Judge