

VAL MANDEL, P.C.

Val Mandel
Member of NY, NJ and DC Bars
e-mail: vm@valmandelpc.net

80 Wall Street, Suite 1115
New York, NY 10005
(212) 668-1700
Fax (212) 668-1701

Eric Wertheim
Member of NY and NJ Bars
e-mail: ew@valmandelpc.net

Daniel Akselrod
Member of NY Bar
e-mail: da@valmandelpc.net

June 21, 2010

VIA ECF

Honorable Ramon E. Reyes, Jr.
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

Re: **Vadim Mikhlyn, Inga Mikhlyn and ABC All Consulting, Inc. v. Ana Bove, Polina Dolginov, et al.**
Docket No.: 08 CIV. 3367

Dear Judge Reyes:

We represent the Plaintiffs in this action.

We will defer to Your Honor's judgment about the briefing schedule for plaintiff's Rule 37 motion, but we want to make the Court aware of an important fact.

In letters to the Court, Defendants have repeatedly referred to their difficulties with English. In fact, Ms. Dolginov is a professional translator and her English is excellent. Please see the enclosed printout advertising Ms. Dolginov's services.

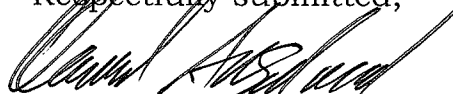
We have firsthand experience with Polina's command of English. Although defendants insisted on using a translator for Ms. Dolginov's deposition, she would occasionally slip into English in responding to questions. Her English was so smooth that an extended period of examination would occur before anyone noticed that Ms. Dolginov went from speaking Russian to speaking English.

Another issue we wish to address is strictly procedural. Per the Courts instructions, we had served the Rule 37 motion on the defendants on June 11,

Honorable Ramon E. Reyes
June 21, 2010
Page 2

2010. We did not file the motion documents via ECF because we were under the assumption that such motions were filed only when fully briefed (the initial motion documents together with the defendants' response and plaintiffs' reply). Now that the defendants are communicating directly with the Court regarding the briefing schedule, we would like to request the Court's permission to file the Rule 37 motion via ECF.

Respectfully submitted,



Daniel Akselrod

DA/st
Encl.

cc: Ms. Ana Bove (via e-mail)
Ms. Polina Dolginov (via e-mail)