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April 8, 2011

Sent Via ECF To:

Magistrate Judge Ramon E. Reyes
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Mikhlyn, et al. v. Bove, et al.
Case No. 1:08-cv-3367

Honorable Judge Reyes:

This firm was prior counsel to the Defendants in the above referenced action. I submit this letter to request leave to file the Affirmation in Opposition to Defendants' motion for reconsideration along with the exhibits attached thereto under seal since they contain information protected by the attorney-client privilege. Although the Court had ruled that Defendants had waived attorney-client privilege as to discovery matters, these exhibits contain some communications relating to other issues.

The Eastern District has routinely allowed documents to be filed under seal "where necessary to preserve the confidentiality of the attorney-client relationship between a party and its counsel, and that this method is viewed favorably by the courts." Team Obsolete Ltd. v. A.H.R.M.A. Ltd., 464 F.Supp. 2d 164, 165 (E.D.N.Y. 2006) (permitting outgoing counsel to file papers in support of its motion to be relieved under seal); See also Harrison Conference Servs., Inc., 806 F.Supp 23 (E.D.N.Y. 1992).

Therefore, I respectfully request that I be granted leave to file the Affirmation in Opposition to Defendants' motion for reconsideration along with the exhibits attached thereto under seal.

Thank you in advance for your kind consideration.

Very truly yours,

/S/ Boris Kogan
Boris Kogan (BK-9135)

BK:mg