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October 7, 2008

VIA ECF & BY HAND

Judge Charles P. Sifton
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Index No. CV 08 3367
Vadim Mikhlyn, et al. v. Ana Bove, et al.
Our file No. 1851.004


Dear Judge Sifton,

In response to Mr. Wertheim's letter of October 6, 2008 concerning the issue of the partnership, the only point supported by the cases submitted on September 25, 2008 was that when one partner leaves a partnership, there is an automatic dissolution of the partnership. Therefore, neither partner would have the authority to conduct the partnership business under exclusive control to the exclusion of the other.

In view of the above, we would think that the Mikhlyns' papers should be limited to that point only rather than permitting another whole set of documents broadly rearguing the basic partnership issues.

Thank you for your cooperation.

Respectfully submitted,
LEVISOHN BERGER LLP


Peter L. Berger

PLB:wr

cc: Eric Wertheim, Esq.
Val Mandel, P.C.
Attorneys for Plaintiffs