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October 8, 2008

**VIA ECF & FEDEX**

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

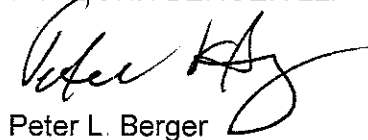
Dear Judge Sifton,

We represent counterclaimant Bove in this matter

According to my consented to letter to you of September 29, 2008, each party had until close of business yesterday to file any additional papers in this matter. We note we have received no papers from plaintiff concerning its representation that it wanted to serve supplemental papers addressing certain issues raised at the September 25, 2008 hearing.

It is not our normal practice to object to adversaries filing additional papers, but we believed that yesterday, October 7, 2008, was the final date for all submissions prior to your considering each party's respective motion for a preliminary injunction.

Respectfully submitted,  
LEVI SOHN BERGER LLP



Peter L. Berger

PLB:wr

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

cc: Boris Kogan