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December 31, 2008

Sent Via Facsimile To: (718) 613-2399

Gerald P. Lepp
ADR Administrator
U.S. District Court
Eastern District of New York
225 Cadman Plaza East, Room 215 South
Brooklyn, NY 11201

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

Dear Mr. Lepp:

This firm represents the defendants in the above referenced action. Pursuant to the Court's instructions, please be advised that all parties have selected Mark S. Mulholland, Esq. from the EDNY list of qualified mediators to act as mediator.

The first mediation session is scheduled to take place at 10:30 A.M. on February 3, 2009 at the Law Offices of Ruskin Moscou Faltischek, P.C. located at 190 EAB Plaza East Tower, 15th Floor, Uniondale, NY 11556. An alternative date for mediation is February 4, 2009.

Please feel free to contact me with any questions.

Very truly yours,

/s/ David Binson
David Binson (DB-4602)

DB:zk

cc: Jonathan Berger, Esq. (Via Facsimile)
Eric Wertheim, Esq. (Via Facsimile)
Mark S. Mulholland, Esq. (Via Facsimile)