

**COLEMAN LAW FIRM**  
A PROFESSIONAL CORPORATION

RONALD D. COLEMAN  
DAVID STEIN (ALSO ADMITTED IN PA, IL, AND DC)

PETER S. FRIEDMAN  
DAVID MARC NIEPONENT (ADMITTED IN NJ ONLY)

JANE COLEMAN - OF COUNSEL  
LAWRENCE HERSH - OF COUNSEL  
(ALSO ADMITTED IN CA, IL AND REGISTERED TO PRACTICE BEFORE THE U.S.  
PATENT AND TRADEMARK OFFICE)

1350 BROADWAY  
SUITE 1212  
NEW YORK, NY 10018  
212-752-9500  
FAX 212-752-9506

THE DIAMOND BUILDING  
881 ALLWOOD ROAD  
CLIFTON, NJ 07012  
973-471-4010  
FAX 973-471-4646

WWW.COLEMAN-FIRM.COM

April 27, 2006

**VIA ELECTRONIC FILING**

Hon. Michael L. Orenstein, U.S.M.J.  
United States District Court  
Eastern District of New York  
Long Island Courthouse  
100 Federal Plaza  
Central Islip, NY 11722-4438

*5/9/06*  
*Letter motion dated*  
*4/25/06 is deemed*  
*withdrawn.*  
*So Ordered*

Re: S&L Vitamins v. Australian Gold  
05-CV-1217 (JS) (MLO)

*USMJ*

Dear Magistrate Judge Orenstein:

We represent S & L Vitamins and Larry Sagarin in the above-captioned matter. We write in regard to our April 25, 2006, letter to the Court in which we asserted that Australian Gold had not provided us with a list of "premier salons" and a signed Sheehan "premier salon" agreement.

We wish to inform the Court that counsel for Australian Gold has furnished both of these items to us. Via fax yesterday evening and email and overnight mail today, counsel provided us with the list of "premier salons." Counsel for Australian Gold represents that he emailed us the list of "premier salons" on April 19 after we had requested the same on April 17. Neither I nor my partner, David Stein, ever received the email, but we do not question counsel's representation on the matter. Moreover, counsel represents that the Sheehan agreement was sent to us via regular mail this past Monday (April 24), and the agreement also was emailed to us yesterday.

Notwithstanding defendant's compliance with the Court's order as described herein, we continue to view the "premier salon" *non sequitur*, which was not raised in Australian Gold's pleadings, as an example of Australian Gold's use of litigation as a form of unfair competition.

We thank the Court for its attention to this matter and remain available at the Court's convenience should the Court have any questions.

Hon. Michael L. Orenstein, U.S.M.J.  
April 27, 2006  
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald D. Coleman". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Ronald D. Coleman

cc: Francis J. Earley, Esquire (via ECF)  
Scott D. Matthews, Esquire (via ECF)