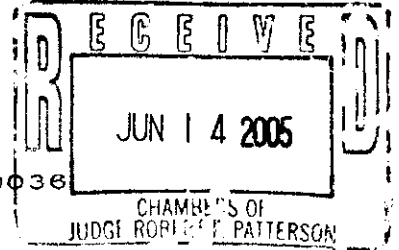


POLLACK & KAMINSKY

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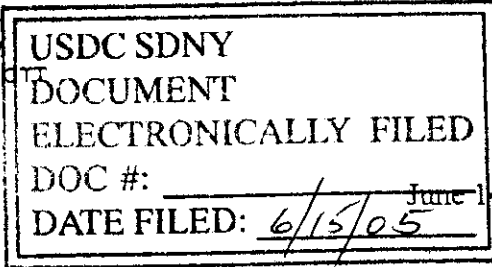
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DANIEL A. POLLACK
MARTIN I. KAMINSKY
EDWARD T. McDERMOTT

W. HANS KOBELT
JUSTIN CHU
ANTHONY ZACCARIA



June 14, 2005

BY FAX

MEMO ENDORSED

Hon. Robert P. Patterson, Jr.
United States District Court
500 Pearl Street
New York, NY 10007-1312

re: Davis v. Kirkpatrick & Lockhart LLP
04 Civ. 9195 (RPP)

Dear Judge Patterson:

We have attempted repeatedly without success to schedule the deposition of plaintiff, after having duly noticed it. Since April, we have asked plaintiff's counsel on numerous occasions to arrange for a mutual convenient date for the deposition; but plaintiff has refused to do so. We therefore respectfully request that your Honor order plaintiff to appear for his deposition on July 12, 2005. *at 9:30 AM. at Defense Counsel's offices.*

Respectfully yours,

Justin Y. K. Chu
Counsel for Defendant

cc: Counsel for Plaintiff

**SEE TYPEWRITTEN MEMO
ENDORSEMENT ATTACHED**

*no response having been
application granted
So ordered
Robert Patterson
USB
6/15/04*

Case: Jamal Davis v. Kirkpatrick & Lockhart LLP
Index No. 04 Civ. 9195 (RPP)

MEMO ENDORSEMENT READS:

... at 9:30 a.m. at Defense Counsel's offices.

No response having been received, application granted.

So ordered.

Robert P. Patterson, Jr., U.S.D.J., 6/15/05