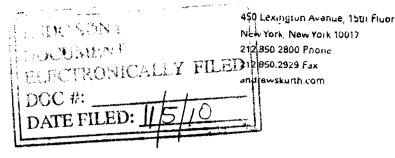
CHAMBERS OF

SHIRAA SCHEINDLIN

Allen v. Scholastic Inc.

Doc. 23





November 5, 2010

## BY FACSIMILE

Re:

Honorable Shira A Schemdlin United States District Court Southern District of New York 500 Pearl Street, Room 1620 New York New York 10007

Dear Judge Scheindlin:

10-CV-5335 (SAS)

I write to Your Honor pursuant to my discussion yesterday with Im Reily. In accordance with Your Honor's Order of September 29, 2010, directing Plaintiff to post a \$20,000 bond, and as set forth in our prior letter to the Court dated October 28, 2010, please be advised that our firm, Andrews Kurth LLP ("AKLLP"), has received Plaintiff's payment of \$20,000, which AKLLP will now hold in escrow pending further instructions from the Court. We therefore request that the Court so-order the following:

Paul Gregory Allen, Trustee of the Estate of Adrian Jacobs v. Scholastic Inc.,

AKLLP agrees, as security for costs, to be held and bound unto the United States District Court for the Southern District of New York, as Obligee, in the sum of Twenty Thousand Doltars (\$20,000), in satisfaction of the Order of the Court dated September 29, 2010, and for no other purpose. This obligation may be modified as the Court directs. In the event the Court finds that Defendant Scholastic Inc. is not entitled to an award of costs, AKLLP shall be released of the above obligation and may seek such relief by letter application to the Court.

Respectfully submitted,

Thank you for your consideration.

cc (by fax): Dale M. Cendali, Esq.

Claudia E. Ray, Esq.

Courtney L. Schneider, Esq.

NYC 220490 2

Austin Beijing Dallas Houston London New York The Woodlands Washington, DC