

Scott Zarin, Esq.  
Zarin & Associates, P.C.  
1700 Broadway, Suite 3100  
New York, New York 10019  
scottzarin@copyrighttrademarkcounsel.com  
Tel: (212) 580-3131 \* Fax: (212) 580-4393

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November 16, 2010

**Via Facsimile (212)805-7927**  
**Confirmation by Hand Delivery**

Honorable Naomi Reice Buchwald  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Gessler v. Sobieski Destylarnua S.A.* / Case No. 10-CV-7532

Dear Judge Buchwald:

Attached please find Defendant FilmOn's opposition to Plaintiffs' motion for temporary restraining order and/or preliminary injunction and the supporting declaration of Alki David.

I hereby request oral argument on the referenced motion. Should the Court agree to such argument, Defendant FilmOn's principal, Alki David, who resides outside of New York, would appreciate the opportunity to attend. Mr. David can be in New York on Thursday or Friday of this week and, if possible, requests the Court to schedule any such argument on one of those days. Thank you.

Sincerely,



Scott Zarin, Esq.

cc: Peter Zimroth, Esq. (Counsel for Plaintiffs/via e-mail)