

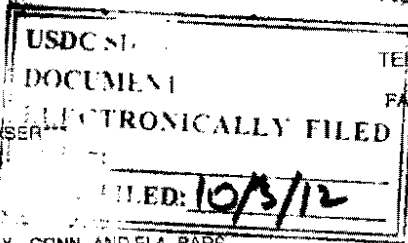
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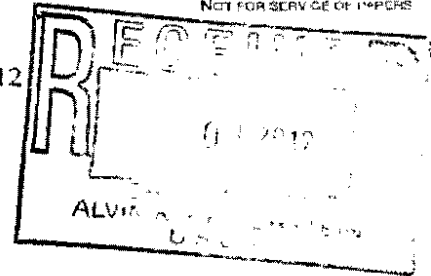
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October 1, 2012



By Facsimile

Hon. Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Cooke/Rodino v. DB 85 Gym Corp. et al.
Civil Action No.: 11 Civ. 0201 (AKH) (RLE)

Dear Judge Hellerstein:

We are the respective counsel for Plaintiffs and Defendants in the above-referenced matter.

On September 6, 2012, Your Honor issued a 30-day conditional order of dismissal (the "Conditional Dismissal Order"). Due to the applicable provisions of the Older Workers Benefit Protection Act, the parties require an extension of the deadline to move to restore. Accordingly, the parties request that the deadline to restore pursuant to the Conditional Dismissal Order be extended from October 6, 2012 to October 15, 2012.

Thank you for your consideration of the foregoing.

Respectfully,

THE DWECK LAW FIRM, LLP

GORDON & REES LLP

/s/

/s/

Corey Stark (CS-3897)

Michael J. Vollbrecht (MV-1118)

So Ordered
10/3/12
Alvin Hellerstein