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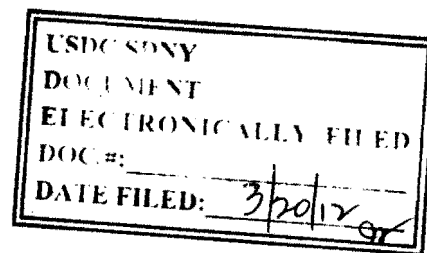
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March 14, 2012

BY FAX

Hon. Paul A Engelmayer
United States District Judge
500 Pearl St.
New York, NY 10007-1312

MEMO ENDORSED



RE: Lebewohl et al. v. Heart Attack Grill LLC, et al., Case No. 11-cv-3153.

Dear Judge Engelmayer:

My firm represents the Plaintiffs. This letter is sent by fax upon Laura's instruction. I write to provide an update and to propose a new briefing schedule for the Plaintiffs' proposed summary judgment motion.

Attempts to serve Fred Mossler have been unsuccessful. A subpoena was prepared and submitted to the Constable of Henderson Township for service on February 16. Deputy Constable Paul T. Maxwell attempted to serve Mr. Mossler at his home and office from February 22 to February 29, but was unable to do so. Constable Maxwell believes that Mr. Mossler was actively avoiding service, will be providing an affidavit to this effect by the end of this week. However, Plaintiffs will not be deposing Mr. Mossler due to the difficulty of obtaining service over him—a stakeout would be prohibitively expensive and time-consuming, as would be a motion for alternative service, which would have to be filed in Las Vegas.

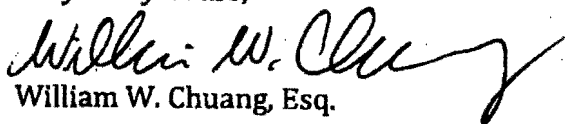
Plaintiffs request an extension for submitting moving papers for summary judgment. The deadline for filing such papers set by the Court on the February 15 conference has passed. The delay was due to an issue with the health of the undersigned counsel. The condition has been resolved and will not affect the ability of the undersigned counsel to diligently prosecute this case going forward.

Plaintiffs propose the following briefing schedule:

Moving Papers Due: March 23, 2012.
Opposition Papers Due: April 13, 2012.
Response Papers Due: April 27, 2012.

A draft copy of this letter was sent to opposing counsel yesterday for review, at his request. No response has been received. Therefore, Defendants should be presumed to oppose this request.

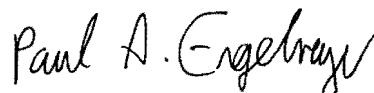
Very Truly Yours,


William W. Chuang, Esq.

cc: Robert Kain, Esq. (by email)
Darren Spielman, Esq. (by email)

The time to depose additional witnesses is hereby closed.
Moving papers for summary judgment are due
March 26, 2012. Opposition papers are due
April 16, 2012. Reply papers are due April 23, 2012.
Upon review of the papers, the Court will determine if
oral argument will be necessary.

SO ORDERED:



3/20/2012

**HON. PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE**