



MEMO ENDORSED

October 13, 2011

BY FAX TO (212) 805-7991

Hon. J. Paul Oetken
United States District Court
Southern District of New York
500 Pearl Street, Room 15D
New York, NY 10007

**Re: *William Gilman v. Eliot Spitzer and The Slate Group, LLC*
No. 11 CIV 5843 JPO (related to No. 10 CIV 8158 JPO)**

Dear Judge Oetken:

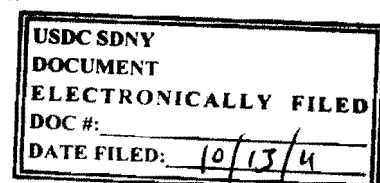
Pursuant to the instructions we have received from your Chambers, we write on behalf of all parties in the above-referenced action to request that, in the wake of the reassignment of this case to Your Honor, Judge Sullivan's Order dated September 6, 2011, be modified as follows:

- Granted JPO*
1. That the deadline for submission of a joint letter and proposed case management plan/scheduling order, in the form and in the manner provided in Your Honor's Individual Rules of Practice, be extended from October 14, 2011 to and including October 21, 2011.
- Granted JPO*
2. That the deadline for submission of Defendants' responsive pleading to Plaintiff's complaint be extended to and including November 1, 2011. Both Defendants intend to submit a joint motion to dismiss the complaint. The parties have proposed the following mutually-agreeable briefing schedule:
 - a. Defendants shall file a joint motion to dismiss the complaint on or before November 1, 2011.
 - b. Plaintiff shall file papers in opposition to Defendants' motion to dismiss on or before November 23, 2011.
 - c. Defendants shall file any joint reply papers in further support of their motion to dismiss on or before December 9, 2011.

{00447162;v1}

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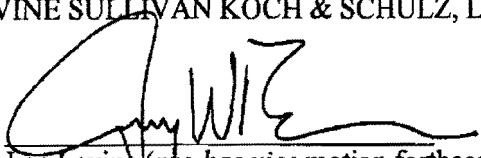


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Thank you for your consideration.

Respectfully submitted,

LEVINE SULLIVAN KOCH & SCHULZ, LLP

By: 
Lee Levine (*pro hac vice* motion forthcoming)
Jay Ward Brown, Bar No. JB-4376


Counsel for Defendants

cc: *Counsel for Plaintiff*

In light of Defendants' intention to file a motion to dismiss, the conference scheduled for October 25, 2011 is hereby adjourned sine die.

SO ORDERED:

10/13/11


HON. J. PAUL OETKEN
UNITED STATES DISTRICT JUDGE