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VIA ELECTRONIC MAIL

The Honorable Leslie G. Foschio
United States Magistrate Judge
United States District Court
Western District of New York
U.S. Courthouse
2 Niagara Square
Buffalo, New York 14202

RE: Ceglia v. Zuckerberg and Facebook, Inc., No. 1:10-cv-569-RJA-LGF

Dear Judge Foschio:

I represent Paul Ceglia in the above-referenced action. I respectfully submit this letter in reply to the letter submitted November 19, 2012 by Defendants' counsel Orin Snyder and in response to the Court's Text Order, Doc. No. 603. My client wants the civil proceedings to continue in parallel with the criminal proceedings. However, as we identified in the Emergency Motion, Doc. No. 597, there are legitimate areas of concern that need to be resolved so that the civil and criminal proceedings can proceed in parallel. The request for an extension of time was to enable a resolution to be identified and implemented.

I would like to suggest that the extension be issued for a long enough period to allow the parties to discuss possible solutions during the hearing that is already scheduled for Tuesday November 27th, 2012 at 2:00 p.m. I would also like to request that this hearing be held as scheduled and not converted to a phone conference. I have already made travel plans based on the Court scheduled hearing and have completed part of the travel.

It should be noted that Mr. Snyder has previously stated to the Court that he was willing to hold the Motion to Dismiss on the Pleadings, Doc. No. 321, in abeyance while the Motion to Dismiss for Fraud, Doc. No. 319, is resolved. "MR. SNYDER: No. I think that under Rule 12 if your Honor believes that there are facts outside the pleading that are necessary to resolve that motion -- we believe there are none, the proper -- your Honor has two choices. Your Honor can deny the motion and say it's premature. Your Honor can convert the motion to a Rule 56 motion, in which case we would say, if your Honor were inclined to do that, put that motion in abeyance, because the fraud here is the threshold issue and there's no need even to waste time on that, if your Honor" Hearing Trans. 4-4-12 at 38. One possible solution is to hold the Motion to Dismiss on the Pleadings, Doc. No. 321, in abeyance and stay any further motions, until the Court rules on the Motion to Dismiss for Fraud, Doc. No. 319.

It is my firmly held belief that Defendants or their counsel were instrumental in the initiation of the criminal proceedings against my client as a tool to gain an advantage in these civil proceedings. In so doing, they are partially responsible for causing this issue. Defendants' counsel has engaged in intimidation and alternate

litigation tactics since the very beginning of this case. However, his most recent strategy involving the criminal complaint has crossed the line. It is now interfering with the expeditious resolve of the action. My client should not be forced to make a decision that risks him going back to federal prison with the forfeiture of all of his and his parent's properties in order to reasonably respond in this civil proceeding. In addition to an extension, I am respectfully requesting the Court's and Defendants' counsel's assistance in identifying and implementing a solution that will allow the proceedings to proceed in parallel.

Respectfully submitted,

/s/ Paul Argentieri

Paul Argentieri

cc: Dean Boland, Esq.
Orin Snyder, Esq.
Terrance Flynn, Esq.