

LAW OFFICES OF SAUL ROFFE, ESQ., P.C.

52 HOMESTEAD CIRCLE
MARLBORO, NEW JERSEY 07746
(732) 616-1304

Licensed in New York and New Jersey

saulroffe@roffelaw.com

February 13, 2018

United States Magistrate Judge Henry Pitman
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: BMaddox Enterprises LLC v. Oskouie, et. al. 17 Cv. 1889 (RA)

Dear Judge Pitman,

I am in receipt of the letter of Anderson Duff dated February 9, 2018. In that letter, he leaves out numerous salient facts. First, he indicates that he contacted me regarding the discovery due on January 17, 2018. He does not mention that this contact was about an hour after I filed my appearance, and that he insisted, at that time, that I provide him documents or state that they do not exist. Needless to say, I could not, and would not make such a representation. He also fails to mention that it was in that exchange that I indicated that my client had leukemia and would be seeking a stay, which he refused to agree to while still demanding swift production. As my reply to his opposition to the motion to stay the action will show, Plaintiffs have provided the Court with false, fictitious and forged documents with certifications by persons who are not who they claim to be. Thus, perhaps Plaintiff should look to his own house before striking out. Simply put, Mr. Oskouie has leukemia, much as Plaintiff wishes to deny or ignore same. This, and the fact that it takes time to transfer a case, necessarily can cause delays.

In that exchange I indicated that I would look into the document request and get back to him. Three business days later, I learned that prior counsel had received the documents, but I had not yet received them. I received them on January 23. I then, on February 1, 2018, filed the motion for a stay shortly thereafter, which Plaintiff's counsel knew was coming because I informed him as such in our first exchange. It is not surprising, given that my client presently cannot work with me on the discovery because of his treatment, that I would prioritize the motion over discovery. I indicated to him on that day that I had received the documents and would review them and the requests. I indicated that it would probably take two weeks to

complete the review. I expect to complete that review this week, in line with that prediction. Rather than wait the additional week, he chose to write this Court.

I cannot speak for prior counsel, or how long he took to review the documents. I have had them for two weeks and have been reviewing them. I anticipate production by the end of this week. There simply was no need for this exchange, nor was there a reason to demand production within hours of my appearance in this action. I have been diligent in reviewing the documents and are hampered by the inability of my client to participate in the process. Surely, Plaintiff can wait another week for the production.

Defendants', subject to their motion to stay proceedings, do not fundamentally object to the request for a conference, and are similarly interested in moving the action forward in an expeditious manner. However, the treatment for Mr. Oskouie's leukemia necessarily will interfere with the proceedings. Once he is through with treatment, his availability should be no issue and we can move this case forward.

Sincerely,



Saul Roffe