



**REVISION / LEGAL**

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March 23, 2018

*PLAINTIFF'S APPEARANCE  
AT THE 3-26-18 SETTLEMENT  
CONFERENCE IS EXCUSED*

**VIA ECF**

United States Magistrate Judge Pitman  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

SO ORDERED

*Henry Pitman*  
HENRY PITMAN  
UNITED STATES MAGISTRATE JUDGE  
3-23-18

**RE: Requesting Plaintiff's Telephonic Participation in Settlement Conference  
BMaddox Enterprises LLC v. Milad Oskouie et al., 17-cv-1889-RA-HBP**

Dear Magistrate Judge Pitman:

Plaintiff BMaddox Enterprises LLC ("BMaddox") has submitted its **confidential settlement conference letter** in accordance with the Court's September 21, 2017 Scheduling Order ("Scheduling Order") and in advance of the Settlement Conference scheduled for 10:30 a.m. ET on March 26, 2018.

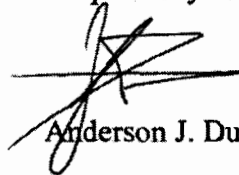
Defendant Oskouie has repeatedly stated that he cannot enter the United States. Defendant Oskouie has also remained steadfast in his refusal to consider a monetary component to any settlement. (Aug. 4, 2017 Joint Letter 2-3, ECF No. 38.) Defendant Oskouie has also plagued this Court and Plaintiff with multiple meritless filings while refusing to meaningfully participate in discovery. In light of Defendant Oskouie's claimed inability to appear before the Court at the settlement conference, and his general behavior to date, which suggests he will not allow Monday's settlement conference to be meaningful, it would be inequitable to require Brandon Maddox to fly in from South Dakota to appear in person.

Plaintiff initiated this lawsuit because Defendants have crippled the business that is Brandon Maddox's livelihood. Defendants, in addition to committing the bad acts that required this lawsuit, have greatly increased Plaintiff's legal costs by filing many frivolous motions and refusing to meaningfully participate in discovery. If Plaintiff is penalized for not travelling across the country to have Defendant Oskouie stubbornly refuse to engage in any reasonable dialogue, Defendant Oskouie would again succeed in adding to the financial burden he has already placed upon BMaddox.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
FILED: 3/23/18

Plaintiff respectfully requests that Brandon Maddox be allowed to participate in this settlement conference telephonically. He will be available for the duration of the hearing and genuinely wants to participate. The expense that BMaddox would incur to attend in person outweighs the likely benefit of Brandon Maddox's in-person attendance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anderson J. Duff", written over a horizontal line.

Anderson J. Duff

AJD/tr