



R E V I S I O N / L E G A L

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March 27, 2018

VIA ECF

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

RE: Letter Motion for Three-Week Extension of Defendants' Time to Reply

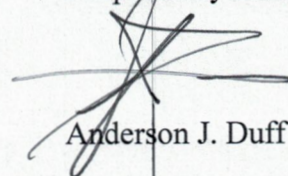
Dear Magistrate Judge Pitman:

Today, Defendants filed a letter motion requesting a three-week extension of their deadline to file a Reply to Plaintiff's Response opposing Defendants' Renewed Motion to Stay these proceedings. In contravention of your individual rule 1.E.4, Defendants' letter motion did not state whether Plaintiff consents. Plaintiff does not consent.

Defendant Oskouie represents that his doctor did not want to give Oskouie his test results because his doctor was "getting threatening calls daily regarding *these results . . .*" (emphasis added) (Oskouie Decl. ¶ 4, ECF No. 125-1.) Aside from being facially absurd, Defendant Oskouie's assertion that his doctor sent him the results he filed because his doctor uses them "to describe the illness to patients" does not make sense. There is no reason that a doctor would use the clinical history of a 61-year-old male with pneumonia and leukocytosis to describe leukemia. (Duff Decl. Ex. E, ECF No. 124-5.) Leukocytosis may be caused by leukemia, but it is more often the result of an infection. Defendants' representation that his doctor is getting threatening phone calls about these test results is facially ridiculous. Even if the doctor was being harassed, there would be no reason for him to hesitate in sending *his patient* that patient's test results.

Finally, as argued in Plaintiff's Memorandum Opposing Defendants' Renewed Motion for a Stay, ECF No. 123, Defendants' alleged illness is not dispositive. A stay would prejudice Plaintiff and waste judicial resources as would Defendants' present request for an extension.

Respectfully submitted,



Anderson J. Duff

AJD/rr