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March 28, 2017

Honorable Judges of the Second Circuit
United States Court of Appeals for the Second Circuit
40 Foley Square
New York, NY 10007

Re: Christiansen v. Omnicom, et. al. #16-748cv

Your Honors:

I represent appellant Matthew Christiansen. Please accept this letter as opposition to the motion filed on this docket by an attorney named Gregory Antollino (**Dkt 130**).

First, Mr. Antollino, his client and their case *Zarda* are not related to this case in any way nor does Mr. Antollino represent any party in this case. His request to file an *en banc* on behalf of my client Mr. Christiansen is objectionable. Next, the *Zarda* case involved issues related to an appeal of a jury trial completely unrelated to this case. That is confirmed as well in the recorded oral argument of *Zarda* on January 5, 2017 wherein a judge of this panel told Mr. Antollino that his case is not relevant to *Christiansen*.

Nevertheless, yesterday Mr. Antollino sent an e-mail requesting that I agree that he file for *en banc* for my client (**Exhibit "A"**).¹ I responded that I object to his interfering and politely informed that I am satisfied with the decision in response to his commentaries about procedure and other things. I did not state that I will not file an *en banc*. I do not discuss my strategy with unrelated persons. Unfortunately, his filings here and on *Zarda* incorrectly state that I will not file an *en banc*.

Also untrue is Mr. Antollino's motion claiming that he had no interaction with *Christiansen* before making his present motion to intervene. On the contrary, I spoke to him in late July, 2016 to discover the issues in his case. Mr. Antollino emphatically stated that our cases were different and he absolutely did not want one panel to hear them.

Mr. Antollino cannot now bootstrap his case onto this one to somehow make the *Christiansen* opinion his opinion for his pending case. It is prejudicial to all involved for him to claim that he will write and file an *en banc* brief for my client that he does not represent and in a case he is completely unrelated to.

Finally, his motion is bereft of any fact or law supporting it. The motion should be denied and he should cease filing on this docket.

Please be advised that Howard Rubin, Esq., counsel for Appellee Omnicom, informed me today that they also object to Mr. Antollino's filing on this docket.

Very truly yours,
LAW OFFICES OF SUSAN CHANA LASK

/s Susan Chana Lask
SUSAN CHANA LASK

¹ Mr. Antollino's exhibit is redacted to remove his commentaries.

On Mar 27, 2017, at 11:06 AM, SCL <susanlesq@verizon.net> wrote:

No. Do not combine my case with yours.
I am satisfied with the decision.

If you refer to my decision anywhere or pursue combining it when I object, then you should copy me so I may oppose.

Susan Chana Lask, Esq.
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This e-mail is confidential and intended for a specific recipient. If received in error, please notify the sender and delete.

From: GREGORY ANTOLLINO <gregory10011@icloud.com>
Date: Monday, March 27, 2017 at 11:02 AM
To: <scl@appellate-brief.com>
Subject: Christiansen

Susan,

Confidentially, I assume you are petitioning for an en banc. If you are sick of this, I have been dealing with this issue since 1990, so I'll happily step in then step out when it's over for you. Since I can't assume that's likely, I am writing, as I must under the rules, to see if you would agree to consolidate the cases for the purposes of the Title VII question alone. My case had questions under state law after a trial that was handled poorly - in my opinion - by the judge. At appellate oral argument, if you happened to listen to it, we did not discuss the state claim very much at all, just the federal. (REDACTED ATTORNEY'S OPINION OF COURT)

So what say you to my motion (a) to combine the cases on the Title VII question alone - and I will petition for en banc and this will allow Sack and Lynch to sit; or in the alternative (b) allowing me to intervene for the purposes of briefing and argument (REDACTED ATTORNEY'S OPINION OF COURT)

I didn't want to combined the cases before because our appeals were filed apart - and yet yours is decided first - and more importantly I did not want to put all of my eggs into the basket of one panel. (REDACTED ATTORNEY'S OPINION OF COURT)

Questions?

Greg A.

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