

Gregory Antollino. Esq.
18-20 West 21st Street # 802
New York, NY 10011
(212) 334-7397
gantollino@nyc.rr.com

November 7, 2012

U.S. District Judge Joseph F. Bianco
Long Island Federal Courthouse
814 Federal Plaza
Central Islip, New York 11722

RE: Zarda v. Altitude Express, Inc. & Ray Maynard, 10 Civ 4334 (JFB)

Dear Judge Bianco:

I briefly respond to Mr. Zabell's letter of today. I deny that my argument is one of reargument – it is based entirely on new information, which I laid out in detail in my letter of November 6. Furthermore, I am disheartened that Mr. Zabell characterized my letter as “demonstrat[ing] a manifest disregard for Your Honor's time and the Judicial resources Mr. Antollino shares with the rest of the Eastern District.” Was that necessary? There is more to the story that I seek to explore, and new factors have intervened since your initial ruling – a ruling I believed, at the time, was reasonable.

I deny Mr. Zabell's statement that “the only reason [I] could provide [] for seeking an additional hour beyond the hour ordered by Your Honor was that ‘Mr. Maynard only has a high school degree, he never graduated college.’” What Mr. Zabell is mischaracterizing is this: I did mention to him in our lengthy conversation that Mr. Maynard had no computer training, in college or otherwise, and therefore would be ill-suited to opine so cryptically as whether he conducted a thorough search for electronic information. Therefore, I thank Mr. Zabell for reminding me of this point that I made, which is another reason I must go step by step in filling in the blanks to Mr. Maynard's ipse dixit affidavit regarding his search of electronic information. To extract this information, along with everything else from last year, including plus Winstock's recent termination, is going to take more than an hour.

Sincerely,

/s/

Gregory Antollino

Cc: Saul Zabell by ecf