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November 30, 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 represent plaintiff in this action and will soon respond to Mr. Zabell's letter as to why his proposed motion would not be successful (and formalize that plaintiff is withdrawing the FLSA overtime claim, as I had suggested earlier). In the same letter, I intend to explain why plaintiff would like to move for partial summary judgment on his sexual orientation claim. However, since I will be leaving town on December 15, I need to request that the conference be advanced to Thursday the 13th or Friday the 14th at 4:30, or such time that will accommodate everyone. I will not be available on December 12th at all, but have flexibility on the 13th and 14th if 4:30 is no good.

Sincerely,



Gregory Antollino

Cc: Saul Zabell by ecf