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March 28, 2014

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 and have just filed the second amended complaint as contemplated by our discussion on the record. As I renumbered and got to the end of the amended, I saw the following statement in the Wherefore clause:

Compensatory damages in excess of the jurisdictional amount required of this court.

Amended complaint, Wherefore clause ¶ A. Thus this whole hullabaloo about my allegedly not pleading \$75,000 in controversy was a non-argument from the start. Broadly read, as complaints are supposed to be, the above-quoted language from the amended complaint covers the \$75,000 in controversy that I explicitly put in the Second Amended complaint. By copy of this letter, I would ask Mr. Zabell not to make his motion and for us to move on and prepare for trial.

Sincerely,

/s/ 
Gregory Antollino

Cc: Saul Zabell by ecf