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June 17, 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 despite Mr. Zabell's representation to the Court last week, he has not given me all of the addresses of the witnesses he has listed on the JPTO. When I asked him for them, as usual, he ignored me. I therefore noted in the pre-trial order that he refused to give me the addresses of some witnesses. A true statement. Judge: It's a pre-trial order - he comes up with names from 2001 whose addresses he doesn't know and expects me to sign the order without making a record? Where does he get his sense of entitlement? Notably, he complains all over the order that I didn't provide him this and that - things I know are not true and can prove it. In our conversation today - in which he made the homophobic remark to me that I had a "squeaky" voice - he admitted he hadn't given me the addresses but will get them to me "before trial."

This is nonsense. That you allowed him to list 50 unknown witnesses on the JPTO in case *one* should be called for impeachment is one thing, but for him to misrepresent that he had given me all the addresses of the witnesses when he has not is another. You said that part of the reason for a pre-trial order is to prepare for trial. Several addresses were not given and if I sign this order, those witnesses will most certainly show up. He did the same thing with the complainants and with Mr. Maynard's sister's partner. He did not give the addresses - despite my protest to you - until he had the chance to approach them and bring them out to dinner and convince him of the merits of his case. I'm not going to wait until the eve of trial for him to get around to this and won't sign an order in which he believes he can take words out of *plaintiff's portion* of the pre-trial order on his own instance. The names of witnesses whose addresses have not by now, some four years after the filing of this litigation, should be stricken. You should not tolerate his games.

Sincerely,
/s/
Gregory Antollino

Cc: Saul Zabell