

GREGORY ANTOLLINO

ATTORNEY AT LAW

GREG@ANTOLLINO.COM

275 SEVENTH AVENUE, SUITE 705
NEW YORK, NEW YORK 10001

TEL. (212) 334-7397
FAX (212) 334-7399

October 7, 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:

As Mr. Zabell speedily notified you, Don Zarda died this weekend, base-jumping in Switzerland. Base-jumping is different than skydiving in that it involves jumping off of dry earth into fjords and ravines. On his several thousandth jump, Don misjudged his coordination and fell fatally into a ravine.

Perhaps with the exception of the minimum wage claim, we fully intend to go forward; there was no doubt in my mind as to this when I learned of this tragic news this weekend. We are on the fast track, and one of the two co-executors is admitting Don's will to probate in the appropriate court in Dallas. First, however, he must obtain a death certificate from Switzerland, but the process of having a temporary or permanent executor(s) should be quick. When I get the letters testamentary, I will make a motion to substitute the estate well before the 90 days I am allotted. If you would like me to do something differently, you can let me know. I will ask Mr. Zabell for his consent, considering that he deposed Mr. Zarda, and given that you felt the evidence sufficient to go to trial; but barring his consent, I intend to make the motion as soon as I have the appropriate paperwork.

Sincerely,



Gregory Antollino

Cc: Saul Zabell (with attachments)