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July 20, 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 case, and this is the second letter I write today. In June, you made several orders concerning outstanding discovery which defendant is to produce. Earlier this week, you made a further order on the same motion.

As to the items that were ordered in June, I have, without success, been corresponding with Mr. Zabell to choose his own date in which to produce those documents. Over a month has passed and I would ask for permission to move for sanctions if those materials are not produced within thirty days, sixty with regard to the items ordered this week.

A limited of the materials – jump videos – I proposed to be produced in Mr. Zabell's office on November 15, along with the remainder of his clients' deposition. Mr. Zabell has not yet confirmed this date. I ask that he confirm the dates and the production of jump videos for sampling¹ within 30 days or allow me to move for sanctions. My client needs to prepare his schedule. This is not a motion, simply a request to make a motion unless the items ordered produced are produced within a reasonable time.

Sincerely,



Gregory Antollino

¹ There are two other instructional videos that need not wait until November, and I would prefer to see them now. I have proposed a video shop in Long Island for reproduction at my expense, but Mr. Zabell has not gotten back to me. He has neither proposed a confidentiality order as to those videos, which I agreed to sign at the court's direction.