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April 12, 2018

VIA ELECTRONIC CASE FILING

The Honorable Joseph F. Bianco
United States District Court Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: Donald Zarda v. Altitude Express, Inc. and Raymond Maynard
Case No.: 10-CV-04334 (JFB) (GRB)

Your Honor:

We are counsel for Defendants in the above referenced matter, though note that there is no active matter currently pending before Raymond Maynard. We write in response to Mr. Antolino's April 11, 2018, missive seeking discovery to assist counsel in determining if a party and/or third party can satisfy a potential judgement. Initially, we must point out that it is factually inaccurate and no attempt has been made to meet and confer regarding the relief requested. Beyond that and putting all histrionics aside, Mr. Antollino's letter seeks relief for which he has no legal basis to seek. Discovery has long been completed. Pleas for additional information to assist Plaintiff is determining the feasibility in litigation or references to settlement discussion should not be a basis for reopening discovery. In fact, Mr. Antollino's references to settlement conversations in his application are inappropriate.

As a final basis for denying Mr. Antollino's the entire application is premature as the time for Altitude Express to exhaust an appeal has yet to run.

We thank the Court for its consideration of this application.

Respectfully submitted,

ZABELL & ASSOCIATES, P.C.

Saul D. Zabell

cc: Gregory Antollino, Esq. (via Electronic Case Filing)
Client