1-27-1986

Lewis M. Steel's Letter to Judge Tenney in Response to Defendant's Memo in Reply to Plaintiff's Response to Objections Dated January 22, 1986

Lewis M. Steel '63

STEEL & BELLMAN, P.C.

Attorneys at Law

351 Broadway, New York, New York 10013

(212) 925-7400

Richard F. Bellman
Lewis M. Steel
Susan Ritz

January 27, 1986

Hon. Charles H. Tenney
United States District Court
Foley Square
New York, New York 10007

Re: Avagliano, et al. v. Sumitomo Shoji America, Inc.
77 Civ. 5641 (CHT)
Incherchera v. Sumitomo Corp. of America
82 Civ. 4930 (CHT)

Dear Judge Tenney:

I ask the Court's permission to submit this short response to Defendant's Memorandum in Reply to Plaintiff's Response to Objections, dated January 22, 1986.

My failure to copy the Epstein Becker firm with my letter to the Court dated January 7, 1986 was accidental. In my haste to get a short statement into the Court's hands quickly on the issue covered by the letter, I apparently failed to dictate that a copy should be sent to Epstein Becker. When at that firm a few days later, I brought up the contents of the letter, and was shocked to learn that counsel had not received it. I apologize for the oversight.

With regard to the rest of defendant's January 22, 1986 Memorandum, Magistrate Dolinger explicitly understood that the Stipulation and Order dated October 24, 1985 was entered into to expedite discovery, not to block it. After hearing argument and receiving written submissions, the Magistrate determined that it was appropriate, in order to expedite the proceedings, to allow plaintiffs access at this time to the material which is the subject matter of this motion. Plaintiffs' counsel believes that this ruling was correct for the reasons set forth in plaintiffs' memorandum.

Respectfully submitted,

STEEL & BELLMAN, P.C.

by _____
LEWIS M. STEEL

LMS:PC
cc: Epstein Becker Borsody
& Green, P.C.