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December 22, 2008

**BY FACSIMILE - 212.805.7906**

The Honorable Denny Chin  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

USDC SDNY  
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Re: *Howard K. Stern v. Rita Cosby, et al.*  
Case No.: 1:07-CV-085360-DC


Dear Judge Chin:

I am writing the Court concerning the motions for summary judgment recently submitted in the above-referenced matter. Defendants' motions for summary judgment were due on December 15, 2008. While both Defendant Cosby and Defendant Hachette filed their motions on that date, Defendant Cosby's Declaration contained numerous citation errors and, in many cases, no citations at all. As a result, Cosby's Memorandum of Law and Rule 56.1 Statement, which relied heavily on her Declaration, contained numerous errors as well. Cosby filed corrected papers on the afternoon of Friday December 19, 2008.

Due to the sheer number of errors in the initial citations, Plaintiff was unable to effectively analyze Cosby's papers until the corrected documents were filed. Cosby's Declaration is approximately eighty-three pages long and has 100 exhibits, comprising thousands of pages. Based on Defendant Cosby's delay in submitting corrected papers and the sheer volume of material submitted, Plaintiff respectfully requests a two-week extension in replying to Defendants' motions for summary judgment.<sup>1</sup> Plaintiff's reply papers are currently due January 23, 2009, and a two-week extension would move that deadline to February 6, 2009.

Thank you for your attention to this matter.

**APPLICATION GRANTED.  
SO ORDERED**

  
Denny Chin, U.S.D.J.  
12/23/08

Respectfully,

  
L. Lin Wood

<sup>1</sup> Since the Defendants incorporated each other's arguments in their motions for summary judgment, Plaintiff will be submitting one reply memorandum for both motions.

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LLW/ams

cc: Douglass B. Maynard (By Email)  
Elizabeth McNamara (By Email)

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