

Elena Ruth Sassower

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October 17, 2013

Aprilanne Agostino, Clerk
Appellate Division, Second Department
45 Monroe Place
Brooklyn, New York 11201

RE: Plaintiffs' September 23, 2013 Motion
Elena Ruth Sassower, et al. v. Gannett, et al.
App. Div. #2012-00126, #2012-05360, #2013-05353

Dear Clerk Agostino,

Reference is made to plaintiffs' September 23rd motion, returnable tomorrow, Friday, October 18th, which, pursuant to CPLR §2214(b), required answering papers be served by Friday, October 11th.

As neither I nor my co-plaintiff, Doris L. Sassower, had received any opposition papers to the motion, I telephoned the Clerk's Office yesterday afternoon at approximately 4 p.m. to verify whether any had been filed. I was told that opposition papers were received by the Court yesterday, that the affidavit of service reflected mailed service to me alone – not Doris Sassower – on October 11th – and that the procedure for requesting an adjournment of the motion for purposes of filing reply papers was to call adverse counsel and ask consent to same, but that this was simply a courtesy, preliminary to writing a letter to you for an adjournment. I was advised that the opposition papers were 15 pages, signed by James Regan, Esq. of Satterlee, Stephens, Burke & Burke, and was given his phone number.

I thereupon promptly called Mr. Regan and left a voice mail message. He returned the call shortly after 6 p.m., consenting to my request for a two-week adjournment.

Please, therefore – and without prejudice to plaintiffs – adjourn the return date of plaintiffs' September 23rd motion, on consent of adverse counsel, to Friday, November 1st.

Thank you.

Very truly yours,



ELENA RUTH SASSOWER

Pro Se Individually & Acting Pro Bono Publico

cc: Doris L. Sassower
James Regan, Esq./Satterlee, Stephens, Burke & Burke



Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Friday, October 18, 2013 11:03 AM
To: jregan@ssbb.com
Cc: 'doris@judgewatch.org'
Subject: Sassower v. Gannett: Your Opposition Papers to Plaintiffs' September 23rd Motion
Attachments: 10-17-13-adjournment-ltr-agostino.pdf

Dear Mr. Regan,

As your opposition papers to plaintiffs' September 23rd motion did not arrive in yesterday's mail, I expect they will be arriving today. Mail is delivered by 3 or 4 pm – and I will let you know.

Elena Sassower

From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]
Sent: Thursday, October 17, 2013 12:56 PM
To: 'jregan@ssbb.com'
Cc: 'doris@judgewatch.org'
Subject: Sassower v. Gannett: Adjournment of Plaintiffs' September 23rd Motion

Dear Mr. Regan,

Attached is my just-faxed letter to Appellate Division, Second Department Clerk Agostino for a two-week adjournment of plaintiffs' September 23rd motion.

Thank you.

Elena Sassower
914-455-4373