

From: Jacob Teitelbaum  
c/o Ben Friedman  
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To: The Honorable Vincent L. Briccetti  
United States District Court Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York, 10601

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Clerk is instructed to  
submit this letter.  
WJm, USMJ  
1/2/13

Re: Jacob Teitelbaum Vs. Juda Katz et al. 12-cv-2858 VB

Dear Judge Briccetti,

I am Jacob Teitelbaum, Plaintiff in this action. I am in receipt of Defendant David Rubenstein's letter to your Hon. dated December 28<sup>th</sup>, 2012, in which he is referring to my letter dated December 23<sup>th</sup>, 2012.

Defendant David Rubenstein is trying to confuse some very simple facts; First, according to the U S Marshals a copy of the Amended Complaint was sent to Defendant Rubenstein on June 29<sup>th</sup> (Doc 36), despite the fact that his Acknowledgement was to the original Complaint. Therefore Defendant David Rubenstein was indeed served not once, but twice, first on June 29<sup>th</sup>, and again on July 30<sup>th</sup> (as per the Court's request).

Second, the Court ordered, on July 31<sup>th</sup> the U S Marshals to serve Defendant David Rubenstein with the Amended Complaint, (Doc 40). Defendant Rubenstein tries to portray this as the Court having ordered Plaintiff to serve him. "At the Court's request the Marshal will serve the amended complaint on Kiryas Joel Community Ambulance Corporation and David Rubenstein." And, the Plaintiff has confirmed both services with U S Marshals.

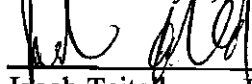
This confusion was deliberately created by the Defendants on July 3<sup>th</sup>, the day after the Court ruled, "that the time for any defendant to answer or move is pending their receipt of service of the amended complaint", interestingly the very next day they sent their Acknowledgement to the original Complaint.

Therefore, I respectfully ask this Honorable Court to dismiss Defendant Rubenstein's Motion to Dismiss, or, in the alternative, to extend the time to serve Defendant David Rubenstein with the Amended Complaint, and order the U S Marshalls to serve him yet again, despite the fact the Marshalls assert that he was already served.

I would also ask this Honorable Court to extend the time to file my opposition papers to the rest of the additional motions to dismiss at a minimum until January 31<sup>th</sup> 2013, with the Defendant filing his reply by February 28<sup>th</sup> 2013. I need this time in order to be able to prepare and draft my opposition papers properly.

Respectfully Submitted,

Dated January 1, 2013, Monroe, NY.



Jacob Teitelbaum, Plaintiff

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