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From: Jacob Teitelbaum
c/o Ben Friedman
5 Leipnik Way # 102,
Monroe N. Y. 10950

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MAR 13 2013
VINCENT L. BRICCETTI
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

APPLICATION DENIED
SO ORDERED *Wou*
VINCENT L. BRICCETTI 3/4/13
U.S.D.J.

To: The Honorable Vincent L. Briccetti
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, New York, 10601

Copies Mailed Faxed
Chambers of Vincent L. Briccetti

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MAR 04 2013
U.S.D.C.
WP

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

Dear Judge Briccetti,

I am Jacob Teitelbaum, Plaintiff in this action.

This Hon. Court has set three separate deadlines due within the following 6 weeks for the three tasks to be accomplished as follows;

- 1) **Reconsideration Motion,**
- 2) **Opposition to Motion to Dismiss – of Defendant John Burke,**
- 3) **Amend Complaint where applicable,**

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Plaintiff faces a formidable task to accomplish the above. In reading the Court's Feb 11th Decision, Plaintiff cannot find or apprehend the court's grounds on what differentiates the various Defendants. Specifically, I am having difficulty differentiating between the group of County and Attorney Defendants and between the other KJ Defendants. Due to this Plaintiff is unable to determine whether the Hon. Court overlooked Plaintiff's arguments and pleadings, and therefore is unable to define the differentiation to create arguments for each respective group. The Hon. Court's further clarification will enable Plaintiff to expeditiously and simultaneously accomplish all three tasks without further undue problems as follows;

- 1) **Reconsideration Motion,** Plaintiff is unable to perfect and construct the re-pleaded argument for the Reconsideration Motion for Leave to Amend on those not specifically granted. Since there is no clarity on how the Court differentiated among various Defendants, the Plaintiff cannot properly argue the as yet undefined issues.
- 2) **Oppose Motion to Dismiss,** Plaintiff is unable to oppose the pending Motion by Defendant John Burke, which relies solely on the Feb 11th Decision, in claiming the ruling - that this action is appeal under the Rooker-Feldman doctrine - equally affects and applies to him. The fact that the Court has not yet specifically ruled on said Defendant, indeed hinders the Plaintiffs ability to oppose the Motion. To oppose this Motion the Plaintiff would have to rely on a perfected Motion to Reconsider (which cannot be done, see #1, above), or have a clear understanding where to place said Defendant, (among which group of Defendants).

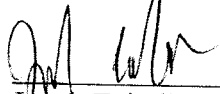
- 3) **Amending Complaint**, Plaintiff cannot amend the Complaint where applicable, while not apprehending the Court's grounds for the differentiation among various Defendants, allowing one group to be amended while not the others the Plaintiff cannot cure and amend an undefined issue. In the event Plaintiff misapprehended the Feb 11th Decision, and Plaintiff indeed is allowed to amend against all Defendants, it would avoid unnecessary supplementation to re-plead on the Motion to Reconsider.

In reference to my letter of Feb 27th regarding KJ EMS, the Plaintiff realizes the letter was referring to page 12 of the Feb 11th order which reads in part that, "[a]lthough it appears unlikely that Plaintiff can sufficiently plead a section 1983 claim against Kiryas Joel EMS or Rubenstein by further amending his complaint, those claims are dismissed without prejudice." This has caused Plaintiff to conclude that the Court had dismissed those claims without allowing it to be amended, while mistakenly overlooking the Court's conclusion on page 13.

Therefore, the Plaintiff respectfully requests the Hon. Court to further clarify it's Feb 11th Decision, regarding the grounds for differentiation between the Defendants allowed and those disallowed from the Plaintiff's ability to amend, and, if still applicable, how to treat Defendant John Burke in light of his Motion relying on Feb 11th Decision. Thank you for your time and consideration.

Respectfully Submitted,

Dated March 3, 2013, Monroe, NY.



Jacob Teitelbaum, Plaintiff ProSe

CC;
TARSHIS, CATANIA, LIBERTH, -
MAHON & MILIGRAM, PLLC,
Rebecca Baldwin Montello, Esq.
Attorney for defendants,
Children's Rights Society, Inc.
And Atty. Kim Pavlovic
One Corwin Court, P.O. Box 1479
Newburgh, New York, 12550
T - 845-565-1100
F - 845-565-1999
E-mail; rmantello@tclmm.com

Siler & Ingber LLP
Jeffrey B. Siler Esq.
Attorneys for defendant
Kiryas Joel Comm Ambulance CRP
301 Mincola Blvd.
Mincola, N.Y. 11501
T - 516-294-2666
F - 516-294-0870
jsiler@nylawnet.com

David Darwin, Esq.
Orange County Dept. of Law.
Municipal Law Division
15 Matthews Street, Suite 305
Goshen, New York, 10924
T - 845-291-3150
F - 845-291-3167
Email; ddarwin@orangecountygov.com

Hannigan Law Firm PLLC
Terence S. Hannigan Esq.
Attorneys for defendant
David Rubenstein
1881 Western Avenue, Suite 140
Albany, N.Y. 12203
T - 518-869-9911
F - 518-869-9915
terry@hannigan.pro

Garbarini & Scher P.C.
Gregg D. Weinstock, Esq.
Attorneys for defendant
Maria A. Patrizio, Esq.
432 Park Avenue South, 9th Floor
New York, NY, 10016
T - 212-689-1113
F - 212-725-9630
Email; gweinstock@garbarini-scher.com

Taddeo & Shahn LLP
Karen M. Taddeo, Esq.
472 South Salina Street, Suite 700
Syracuse, New York, 13202
T - 315-422-6666
F - 315-422-5050
ktaddeo@ts-law.com

Patrick T. Burke, Esq.
Burke, Miele & Golden, LLP
40 Mathews Street, Suite 209
P.O.B. 216
Goshen, New York, 10924
T - 845-294-4080
F - 845-294-7673

Juda Katz,
Chaya Katz
22 Hayes Court, Unit 201
Monroe, New York, 10950

Joel Tennenbaum
Bluma Tennenbaum
16 Lizensk Boulevard, Unit 102
Monroe, New York, 10950