

MEMO ENDORSED

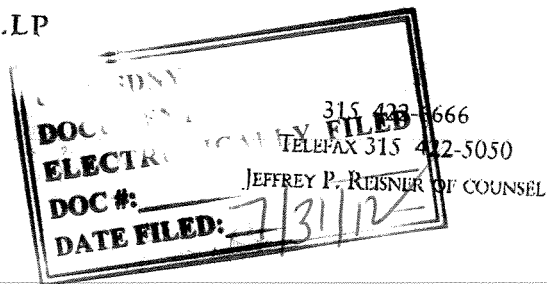
TADDEO & SHAHAN, LLP

KAREN M. TADDEO
STEVEN C. SHAHAN

CHAMBERS OF
VINCENT L. BRICCETTI
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

THE EMPIRE BUILDING
SUITE 700

472 S. SALINA STREET
SYRACUSE, N.Y. 13202



ANNA C. O'NEIL
AARON M. SCHIFFRIK

July 23, 2012

VIA FACSIMILE

Honorable Vincent L. Briccetti, U.S.D.J.
The Hon. Charles L. Bricant Jr. Federal Building and
United States Courthouse
300 Quarropas St., Room 630
White Plains, NY 10601-4150

Re: *Teitelbaum vs. Katz et al.*
Case No: 7:12-cv-02858
Our File No: KIRY01/01455

The Clerk is instructed to docket this letter. W. Sullivan, USDT 7/31/12

Dear Judge Briccetti:

As this Court is aware through the electronic filing of Notices of Appearance, this office represents two (2) defendants in the above entitled action, Kiryas Joel Community Ambulance Corporation ("Kiryas Joel") and David Rubenstein. Please accept this letter as an objection/correction to the Notice of Electronic Filing received today regarding Plaintiff's filing of the Marshal's Process Receipt with supporting documentation for the purported service of the ~~Summons and Amended Complaint~~ upon Kiryas Joel. In fact, the ~~Summons and Amended Complaint~~ have not yet been served upon Kiryas Joel. Rather, the Acknowledgement of Service by Mail of July 3, 2012 utilized as supporting documentation for the Process Receipt is for the original ~~Summons and Complaint~~.

As the Court will note, the Statement of Service by Mail attached to the Marshal's Process Receipt is dated June 1, 2012, twenty days prior to the filing of the Amended Complaint. Further, it specifically references Service by Mail and Acknowledgment of Receipt by Mail of the ~~Summons and Complaint~~, not the ~~Summons and Amended Complaint~~.

In fact, the document that was served upon Kiryas Joel was the Complaint dated April 11, 2012. I reviewed the entire package that had been served by mail upon Kiryas Joel and signed the Acknowledgement of Receipt on July 3, 2012, acknowledging receipt of the ~~Summons and Complaint~~. To date, upon information and belief, neither Kiryas Joel nor David Rubenstein have been served with the Amended Complaint, and in light of our Notice of Appearance, I would assume that service would be made upon this office.

Because Defendants Kiryas Joel and David Rubentsein have not yet been served with the ~~Amended Complaint~~, it is respectfully requested that this Court continue to stay the time for these

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two defendants to move with respect to the Amended Complaint until service of the same has actually been effected.

Respectfully Submitted on Behalf of Defendants Kiryas Joel and David Rubenstein,

TADDEO & SHAHAN, LLP



Karen M. Taddeo

KMT/mlc

cc: Jacob Teitelbaum
Rebecca Baldwin Mantello, Esq.
Gregg D. Weinstock, Esq.
(via US Mail)