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March 20, 2020

VIA ECF
The Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: [redacted] ***v. Indyke et al.,***
Case No. 19-cv-10476-PGG

Dear Judge Gardephe,

Pursuant to Individual Rule IV(D), Plaintiff [redacted] hereby requests oral argument on Defendants' motion to dismiss her complaint under Rule 12([redacted])(6) of the Federal Rules of Civil Procedure. As Plaintiff argues in her memorandum of law in opposition to Defendants' motion, Defendants seek to dismiss Plaintiff's complaint in its entirety based on the incorrect contention that Plaintiff's claims are untimely. But Plaintiff's claims are timely under N.Y. C.P.L.R. § 215(8)(a) and the doctrines of equitable estoppel and equitable tolling. Further, Defendants' motion "to dismiss" Plaintiff's request for punitive damages is procedurally improper and substantively incorrect. Because Defendants seek the extreme remedy of complete dismissal of Plaintiff's complaint, Plaintiff requests oral argument on Defendants' motion.

Respectfully submitted,

/s/ Joshua I. Schiller

David Boies, Esq.
Joshua I. Schiller, Esq.
Sigrid S. McCawley, Esq.

cc: Counsel of Record (via ECF)

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