

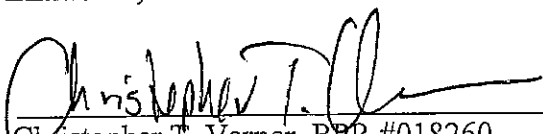


hundred sixty (160) paragraphs a month ago. Furthermore, counsel for Danny Bensusan was served with written discovery requests on February 17, 2009, and substantially similar written discovery requests on March 2, 2009. Given the legal issues surrounding the facts and circumstances, Counter-Plaintiff is entitled to a quick resolution of the questions raised by the declaratory judgment claim.

For all the foregoing reasons, Counter-Plaintiff respectfully requests that the Court enter an order expediting resolution of the declaratory judgment claim, including related discovery.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing pleading has been served upon the following by either hand delivery or deposit in the U.S. Mail with sufficient postage thereon to ensure prompt delivery:

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This the 12 day of March, 2009.

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By

