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October 5, 2009

By Facsimile

Hon. Naomi Reice Buchwald  
United States District Judge  
Southern District of New York  
500 Pearl Street, Rm 21A  
New York, New York 10007

OCT - 5 2009

Re: Pelican Equity, LLC v. Brazell et al. (09-cv-5927)

Your Honor:

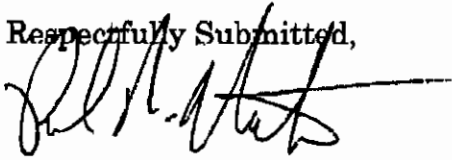
This firm, along with Kevin McBride of Pasadena, California, represent defendant Darl McBride in the above-referenced matter. Further to the Court's instructions during the September 10, 2009 pre-motion teleconference, Mr. McBride's attorneys and counsel for Plaintiff have agreed to the following briefing schedule with respect to Mr. McBride's motion to dismiss:

- Mr. McBride's motion to dismiss will be filed on or before October 8, 2009;
- Plaintiff's opposition papers will be filed on or before November 5, 2009;
- Mr. McBride's reply papers will be filed on or before November 13, 2009

So  
Ordered  
Naomi Reice  
Buchwald  
USDS

Plaintiff and Mr. McBride jointly request that the above briefing schedule be So Ordered by the Court.

10/6/09

Respectfully Submitted,  


Paul R. Niehaus  
Counsel for Defendant Darl McBride

cc: Counsel for all parties, by facsimile and e-mail