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November 25, 2003

Hon. John F. Werner
Chief Clerk and Executive Officer
Supreme Court, State of New York
New York County Courthouse 60
Centre Street
New York, N. Y. 10007

Re: Charney v. North Jersey Trading Corp.
Supreme Court, New York County Index No. 24517/88

Dear Mr. Werner:

I am the attorney for the plaintiff in the captioned action.

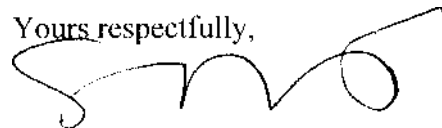
I am in receipt of a copy of a letter addressed to you by defendant Judith Herskowitz, dated November 22, 2003, apparently seeking the intervention of Administrative Judge Silbermann in this matter.

I do not wish to burden your office further with respect to this matter, so I will do no more than note that this is the second time in less than a month that Ms. Herskowitz has sought to bypass the duly assigned Justice hearing this case; that substantially all of the matters raised in Ms. Herskowitz's letter were raised by her to Justice Heitler, before whom this action is now pending; that the motions respecting these issues were marked "submitted" by Justice Heitler on November 18, 2003, after Ms. Herskowitz refused for at least a third time to appear for argument as directed by Justice I leitler; and that all of these matters are now *sub judice*.

If your office should require a further or more detailed response, we will of course be happy to supply it.

Thank you for your courtesy and attention.

Yours respectfully,



Steven Delibert

SD:wp

cc: Paul Windels, III, Esq.
Judith Herskowitz

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