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June 21, 2011

VIA ECF

Honorable Sean H. Lane, U.S.B.J.
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004

RE: QUEBECOR WORLD (USA) INC. v. ALLIANCE SHIPPERS, INC.
Case No. 08-10152-JMP
Adversary No. 10-01117-JMP
Our File No. 2424

Dear Judge Lane:

On behalf of the Defendant, Alliance Shippers, Inc., in the above-referenced adversary action, kindly schedule a telephonic pre-motion conference concerning an outstanding and unresolved discovery issue. Your Deputy was kind enough to provide either today at 4:00 p.m. or tomorrow, at 3:00 or 4:00 p.m. I provided these choices to plaintiff's counsel's office with the request that he contact me regarding his availability. He failed to do so.

The issue concerns the plaintiff's deposition. The plaintiff has designated himself as the plaintiff's trial witness. Consequently, by deposition notice dated February 4, 2011, the plaintiff's deposition was scheduled for March 3, 2011. A series of unilateral adjournments by the plaintiff has caused the deposition not to take place. Plaintiff requested, and I agreed, to a most recent deposition date of June 7, 2011 since it was represented that plaintiff would be available and in town during the week of June 6, 2011. On June 6, 2011, confirmation was attempted, however, plaintiff's counsel advised that the deposition could not go forward the following day or any other day that week despite the fact that I was more than willing to have the deposition Wednesday, Thursday or Friday of that week.

I am now told after waiting three (3) months for the aborted deposition, I must wait another two (2) months on August 10, 2011 before the plaintiff will appear for the deposition. I am not available the week of August 8, 2011. I have discussed this matter with plaintiff's

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counsel requesting a deposition date either later this month or the first part of July without success.

Therefore, I find it unreasonable and unwarranted that my client has to wait at least another two (2) months for the deposition when it was initially noticed in February.

Thank you for Your Honor's anticipated understanding and cooperation.

Respectfully yours,

s/Ronald Horowitz
RONALD HOROWITZ

RH:bhd

cc: Edward E. Neiger, Esq. (via Facsimile 212-918-3427)
Alliance Shippers, Inc.