


MEMO ENDORSED

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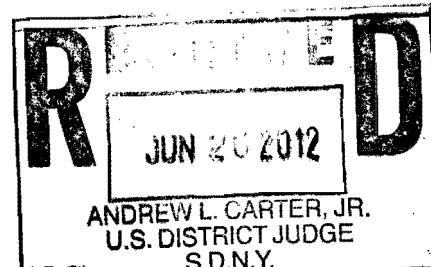
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June 25, 2012

BY E-MAIL

Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: D'Arcy Quinn v. Altria Group, Inc., et al., 07-CV 8783 (ALC)

Dear Judge Carter:

We represent plaintiff D'Arcy Quinn in this age discrimination and retaliation case. We write to advise the Court that, due to technical difficulties encountered with the ECF system this evening, Plaintiff's Objections Pursuant to Fed.R.Civ.P.72, consisting of a Notice of Objections, Declaration of Robert B. Stulberg, Esq. with Exhibits A-CC, and Memorandum of Law, which were due in this action on June 25, 2012, were filed in part shortly after 12:01 a.m. on June 26, 2012. Those papers were filed to object to the June 4, 2012 ruling of Honorable Ronald L. Ellis granting Defendants' motions for protective orders and precluding Plaintiff from deposing four party witnesses.

Plaintiffs attempted to file these papers as "Objections Report and Recommendation" at approximately 11:45 p.m. on June 25, 2012, but that attempt was rejected by the ECF system. Several additional attempts, using various other designations for the papers, were also rejected. The ECF system finally accepted the Notice of Objections as "Notice-Other" at 11:59 p.m. and the remaining papers as various "Non-Motion" filings shortly after midnight.

We apologize to the Court for the inadvertent late filing of part of this submission and respectfully request that the Court accept these papers as timely filed in full. Due to the late hour, we have not attempted to ascertain Defendant counsel's position with respect to this request.

The Court's considerations are appreciated.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6-28-12

Respectfully submitted,

BROACH & STULBERG, LLP

SO ORDERED:

HON. ANDREW L. CARTER, JR.

UNITED STATES DISTRICT JUDGE

cc (by e-mail): William Martucci, Esq.

Kristen Page, Esq.

By:

Robert B. Stulberg

The Court will accept
the objections.

Honorable Andrew L. Carter Jr.
June 25, 2012
Page 2

Howard Ganz, Esq.
Harris Mufson, Esq.