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February 21, 2013

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Our File: 70896.1

VIA ECF AND FEDERAL EXPRESS

The Honorable Douglas E. Arpert, U.S.M.J.
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Courtroom 6W
Trenton, NJ 08608

Re: Sivolella v. AXA Equitable Life Insurance Company, et al.
Civil Action No.: 11-cv-4194

Dear Judge Arpert:

Your Honor instructed counsel to inform you promptly of any discovery disputes. At this time, there are several disputes with regard to the adequacy of Defendants' Answers to Plaintiff's Interrogatories and responses to Plaintiff's Request for Production of Documents. The parties have conducted a meet and confer which was largely unsuccessful. It was agreed, in the course of our discussions, to defer an application to the Court until receipt of Defendants' production of documents on March 15, 2013. While the document production will not resolve all issues, it may resolve some of the issues and permit the parties to focus more clearly on those that remain in dispute.

Unless the Court directs counsel otherwise, it is our intention to reach out to the Court following the Defendants' document production on March 15, 2013 or shortly thereafter.

**SZAFERMAN
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Thank you.

Respectfully submitted,

**SZAFERMAN, LAKIND,
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Arnold C. Lakind

ACL/s

c: Sean M. Murphy, Esq. (via email and regular mail)
Moshe Maimon, Esq. (via email)