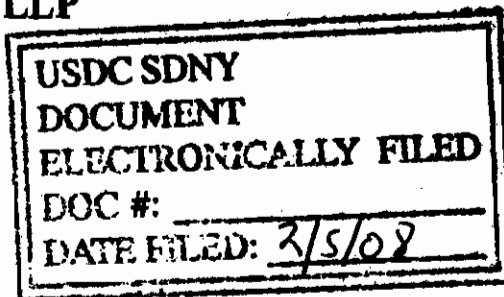


# GOLUB & GOLUB, LLP

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January 30, 2008

**By Facsimile**

The Honorable Denny Chin  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Dear Judge Chin:

This firm represents Justin White ( the "Defendant") in the above captioned matter. This matter is currently scheduled for conference before Your Honor on February 5, 2008, at 10:30 a.m. I am currently on trial in State Supreme Court before the Honorable Michael Ambrecht in the People v. Zearl West et. al., Ind. No. 6279/2006, a four defendant case. That trial is anticipated to continue through next week. Thereafter, I have a previously scheduled vacation, which will take me out of town the week of February 18<sup>th</sup>.

Because of that schedule, I have been unable to complete discussions with my client and the U.S. Attorney with regard to a probable disposition of this case by plea. Accordingly, I am requesting the conference in this matter be rescheduled for either February 27 or 28<sup>th</sup>, at a time convenient to the Court. I anticipate that my client will be in the position to take a plea on that date. I have discussed this application with AUSA Adam Hickey, who does not oppose my application, but notes it is not a joint application by the government. In view of the foregoing, I would consent to the further exclusion of time under the Speedy Trial Act [18 U.S.C. § 3161 (H) (8) (A) ] through the adjourned date.

Accordingly it is respectfully requested that this application be granted.

Respectfully submitted,

Golub & Golub, LLP  
Attorneys for Defendant

By:

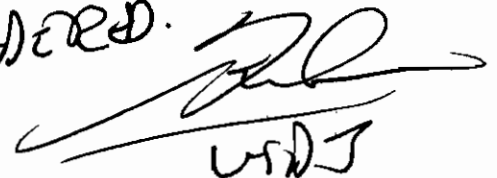
  
Mitchell A. Golub

cc: AUSA Adam Hickey (by facsimile)

Adjourned to  
Feb. 28, 2008,  
at 4:30 p.m.

The time is excluded,  
in the interest of justice  
& in light of the  
parties' discussions.  
SO ORDERED.

2/1/08

  
WCJ