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November 12, 2007

Via e-mail, Telecopy and U. S. Mail

Hon. Alvin K. Hellerstein, U.S.D.J.
Southern District of New York
Daniel Patrick Moynihan
United States District Court
500 Pearl Street, Room 1050
New York, New York 10007-1312

RE: World Trade Center Site Disaster Litigation

Dear Judge Hellerstein:

Please accept this response to Paul J. Napoli's letter, dated November 9, 2007, regarding the documents he forwarded to the Court under seal on November 8, 2007.

Despite attempts to justify his actions, nothing in Mr. Napoli's letter changes the conclusion that GAB Robins is entitled to inspect the documents that allegedly were provided to a reporter by an unnamed individual at GAB Robins. Counsel for GAB Robins should have the opportunity to inspect the UPS package and its contents in an attempt to verify the identity and source of the documents provided, which may be confidential and proprietary to GAB Robins or otherwise contain privileged information. Anything short of this result would prejudice GAB Robins and prevent it from determining the source and contents of the information allegedly provided by one of its employees. Simply put, there is no party in a better position than GAB Robins to determine if the UPS package and documents at issue belong to it.¹

For these reasons, we respectfully request that this Court allow us to retrieve the UPS package from Chambers or, at a minimum, to inspect the contents and the UPS package so as to be able to glean identification data, such as a UPS tracking number.

¹ We are constrained to mention Mr. Napoli's self-serving interpretation of the authority submitted in our November 9, 2007 letter. While it is no revelation that Opinion 94-382 (1994) has been superceded by Model Rule 4.4(b), the key component of that opinion and the others cited in our November 9, 2007 letter, which Mr. Napoli cannot and does not disagree with, is that the lawyer is required to notify the sender of the receipt of misdirected documents. Here, it is undisputed that Mr. Napoli did not advise GAB Robins or its counsel of the existence of the documents at issue until after producing them under seal to this Court.

Edward A. Gramigna, Jr.
Partner responsible for
Florham Park Office

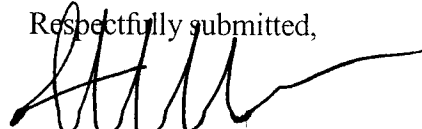
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Thank you for your consideration of our request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Adelman', with a long horizontal flourish extending to the right.

Michael O. Adelman

MOA/ss

cc: Paul J. Napoli, Esq.
Defendants' Liaison Counsel