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April 26, 2013

MEMO ENDORSED
The application is denied.

SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.

Date: *April 29, 2013*

By Facsimile: (212) 805-7986

Honorable Paul G. Gardephe
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2204
New York, New York 10007

Re: Novel Commodities S.A. v. QBE Insurance Corporation, 11 Civ. 6339 (PGG)

Dear Judge Gardephe:

We represent Novel Commodities S.A. ("Novel") in the referenced action. We write to renew our request to adjourn upcoming deadlines. On April 16, 2013, the Court rejected our earlier request.

Yesterday, Novel filed its reply memorandum in support of its motion for reconsideration of the Court's March 30, 2013 order (dkt. no. 45). If the Court finds Novel's motion persuasive, a trial will not be required. Alternatively, the Court's decision may well reduce and clarify any issue remaining for trial. Accordingly, we renew our request to adjourn the following deadlines:

Event	Deadline in March 30 Order	Proposed New Deadline
Joint Pre-Trial Order, Motions <i>In Limine</i> , <i>Voir Dire</i> Requests and Requests to Charge	April 30, 2013	30 days following the Court's entry of an order resolving Novel's motion for reconsideration
Pretrial conference	May 14, 2013	14 days following submission of the Joint Pretrial Order
Trial	May 20, 2013	20 days following submission of the Joint Pretrial Order

Novel is a relatively small business operating out of Switzerland with no employees elsewhere. Trial, therefore, represents a significant burden, which the requested adjournment will minimize.

QBE has declined to consent to this request, referencing its respect for the Court's announced schedule.

Respectfully yours,

Michael T. Sullivan

cc: Michael A. Knoerzer, Esq. (by e-mail)
Victoria L. Melcher, Esq. (by e-mail)