



April 13, 2017

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Via ECF

Hon. Vernon S. Broderick
United States District Judge
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, NY 10007

RE: *Roy Den Hollander v. Katherine M. Bolger, Matthew L. Schafer, Jane Doe(s)*
C.A. No. : 1:16-cv-09800
Our File No.: 16664.00002

Dear Judge Broderick:

As the Court is aware, we represent Defendants Katherine M. Bolger and Matthew L. Schafer (“Defendants”) in the above-referenced action.

Pursuant to Local Civil Rule 7.1(d), and 4.G. of Your Honor’s Individual Rules and Practices, Defendants submit this letter motion for leave to increase the page limit of Defendants’ Memorandum of Law in Support of Defendants’ Motion to Dismiss from twenty-five (25) pages to **thirty-five (35) pages**.

Pursuant to 4.B. of Your Honor’s Individual Rules and Practices, there is good cause here for granting the increase in the page limit. Here, the Plaintiff’s First Amended Complaint asserts seven (7) distinct causes of action: (1) violation of the Computer Fraud and Abuse Act of 1986, 18 U.S.C. § 1030(a)(2)(C), (2) violation of the civil Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. § 1961, (3) violation of the Copyright Act of 1976, 17 U.S.C. § 101, (4) trespass to chattel, (5) injurious falsehood, (6) replevin, and (7) violation of attorney work product privilege. *See* Dkt. 18. Additionally, the RICO cause of action alleges “robbery” and “wire fraud” as the underlying predicate acts. While the Defendants have multiple independent grounds for dismissing each of these causes of action (*see* Dkt. 14, 20),

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Defendants require an increase in the page limit to ensure that each cause of action is sufficiently addressed in kind. Separate and apart from these grounds for dismissal, Plaintiff's First Amended Complaint must be dismissed because Plaintiff collaterally stopped from bringing this action, and because Plaintiff fails to satisfy the pleading standards of this Court, and as set forth in *Iqbal v. Twombly*, 556 U.S. 662, 678 (2009) and its progeny. These grounds for dismissal will require a discussion independent of Plaintiff's various causes of action, further necessitating the increase in page limit.

Please note that Defendants sought consent from the Plaintiff prior to bringing this letter motion, but the Plaintiff advised that he did not consent to Defendants' request. However, should the Court grant this request, Defendants would not oppose a reciprocal request from the Plaintiff.

Should Your Honor have any questions or concerns, please do not hesitate to contact the undersigned. We thank Your Honor for your attention to this matter.

Respectfully submitted,

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cc: *via ECF only*

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