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March 20, 2019

Hon. Thomas Zugabie
Justice's Chambers
20 County Center
Carmel, NY 10512

Re: Quaglietta v. Mackay
Index No. 500144-18

Dear Judge Zugabie:

At the last court appearance before you in the above mentioned action on February 11, 2019 you directed me to file a note of issue in this matter on March 21, 2019. I respectfully request an extension of that time. The reason for the request is that we deposed a non-party witness today. During the deposition I learned for the first time that immediately prior to making the defamatory statements the defendant received and read a text message or e-mail on his cell phone, at which point he then stated "We got your boy now". The defendant then proceeded to make the defamatory statements about my client, the Building Inspector of the Town of Putnam Valley, soliciting and taking bribes from movie companies.

Based on the new evidence, I will have to obtain a forensic examination of the defendant's cell phone. I will also have to obtain authorizations to get records from the defendant's cell phone and internet providers if the defendant does not voluntarily turn over the e-mail or text message in question. In order to accommodate the required discovery, I hereby request additional time to file the note of issue. All the discovery has now been completed.

Please have your staff advise me as to whether or not this request for additional time to file the note of issue will be granted.

Yours truly,


GEORGE J. CALCAGNINI

GJC:ll
Via e-filing Only

cc: James Randazzo, Esq.
Via e-filing