

June 26, 2003

Honorable Dennis R. Hurley
United States District Judge
UNITED STATES DISTRICT COURT
Eastern District of New York
Long Island Federal Courthouse
934 Federal Plaza
Central Islip, New York 11722-4447

**Re: *Robert Novak v. Active Window Publications, et al.*,
CV-02-2978(DRH)(WDW)
[Joinder in Motion for Sanctions and Other Relief]**

Dear Judge Hurley:

Following plaintiff's request for a stay of some of his actions pending in the Eastern District of New York, Your Honor issued a combined order on May 27, 2003, in *Novak v. Overture Services, Inc.*, Case No. CV 02-5164(DRH)(WDW), in *Novak v. Active Window Publications, Inc.*, Case No. CV 01-3566(DRH)(WDW), and in the captioned action. Thereby, the Court amended the extant briefing schedule for the pending motions to dismiss, after noting plaintiff had ceased to comply with the schedule (requested by plaintiff) already in effect.

On or about June 23, 2003, defendants Active Window Publications, Inc. and Mark Rosenstein filed a motion for sanctions, attorney's fees, and other relief in *Novak v. Active Window Publications, Inc.*, Case No. CV 01-3566(DRH)(WDW). Factually and meritedly, the motion applies equally in the captioned case.

Consequently, pursuant to Rule 12(g) of the Federal Rules of Civil Procedure, defendants Annex Technologies, Inc. and Gregory Gooden hereby request to join in this action the motion for sanctions and other

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relief filed by defendants Active Window Publications, Inc. and Mark Rosenstein.

Defendants Annex Technologies, Inc. and Gregory Gooden also join the specific requests for injunctive relief set forth in the June 25, 2003 letter to Your Honor from defendant John R. Benn, which, too, requests to join the Active Window Publications, Inc./Mark Rosenstein motion.

Respectfully submitted,

James Ellis Arden, Attorney for
(1) Annex Technologies, Inc. and
(2) Gregory Gooden

Copy: Mr. Michael Chandler
Mr. Gregory Gooden

CERTIFICATE OF SERVICE BY MAIL

I am an active member of the California State Bar, and not a party to the within action. My address is 15315 Magnolia Boulevard, Suite 203, Sherman Oaks, CA 91403-1174.

On **June 25, 2003**, I served the foregoing document described as: **LETTER REQUESTING TO JOIN MOTION FOR SANCTIONS** on the interested parties in this action by sealing true copies of the same in envelopes with the postage thereon fully prepaid, and depositing said envelopes in the mail, addressed as follows:

[Plaintiff in pro. per.]

Mr. Robert Novak
1550 Sunrise Highway
Copiague, New York 11726

[Defendants:]

John Benn
PETSFORUM GROUP, INC.
104 West Third Street
Sheffield, Alabama 35660

Erik Olson
306 NW 82nd Street
Seattle, Washington 98117

Cynthia S. Powers
5617 Tyler Street
The Colony, Texas 75056

Mark Rosenstein
129 Upland Road
Cambridge, MA 02140

Cynthia A. Kouril
ROBERT L. FOLKS &
ASSOCIATES, LLP
510 Broad Hollow Rd Ste
305
Melville, New York 11747

Ann Hahn
1411 Cherokee Trail
Conley, GA 30288-1818

I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct.

James Ellis Arden