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Wednesday, June 25, 2003

The Honorable Denis R. Hurley
United States District Court
100 Federal Plaza
Central Islip, New York 11722-4438

Re: Robert Novak v. John Benn, et als.
Case Number: CV 02-2978 (DRH)(WDW)
Case Number: CV 01-3566 (DRH) (WDW)
Our File Number: 02-119

Dear Judge Hurley:

REQUEST TO JOIN MOTION

On behalf of myself, John R. Benn (d/b/a PetsForum.com and Forums.CompuServe.com and PetsForum Group, Inc.), I wish to join in the recently filed Motion for sanctions and other relief filed by Defendants, Active Window Productions, Inc. and Mark Rosenstein, in case 01-CV-3566.

Having noted that the Court has recently combined the above cases in an Order denying Plaintiff's Motion to Stay, I believe that the merits of the Defendants' Motion apply equally in both cases. Plaintiff, Robert Novak, has failed to follow the clear procedures of the Federal Rules of Civil Procedure in litigating these cases as evidenced by my several letters to the Court. Further, it should be obvious that the problems noted in Defendants' Motion for sanctions are assuredly going to continue in case 02-CV-2978.

For these reasons, I would join in the request of Defendants, Active Window Productions, Inc. and Mark Rosenstein, that the Court grant the requested injunctive relief requiring Plaintiff, Robert Novak, to obtain prior approval of this Court before instituting any further legal proceedings before the United States District Court for the Eastern District of New York. Further, I would request that the Court additionally provide that no future pleadings in these cases be allowed absent, full and complete compliance with the FRCP requirements for signature, Certificate of Services, and timely service on all named parties in the litigations.

Thank you for your time and consideration.

Cordially,

John R. Benn

JRB/mas

CERTIFICATE OF SERVICE BY MAIL

I, the undersigned attorney, do hereby certify that I mailed U.S. Mail, postage prepaid, or mailed by email a copy of the foregoing to:

Mr. Robert Novak
1550 Sunrise Highway
Copaigue, New York 11726
(via US Postal Mail)

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(via email)

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Date: _____

John R. Benn

