

**Elena Ruth Sassower**

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BY FAX: 212-949-6310 (1 page)

August 22, 2008

Leonard A. Sclafani, Esq.  
18 East 41<sup>st</sup> Street, Suite 1500  
New York, New York 10017

RE: McFadden v. Doris L. Sassower & Elena Sassower  
White Plains City Court #SP-651/89 ("SP-2008-1474")  
Appellate Term #1427 WC

Dear Mr. Sclafani,

Please be advised that at approximately 9:50 a.m., I received from you a Fed-Ex package containing the identical documents I received from you yesterday at approximately the same time, also by Fed-Ex.

These documents – of which I now have two sets – are:

- (1) Mr. McFadden's "affidavit in opposition to appellant-respondent Elena Sassower's motion for 'vacatur/dismissal'", sworn to on August 18, 2008 before you, as the notary; and
- (2) "petitioner's memorandum of law in opposition to 'vacatur/dismissal'", undated and signed by you.

No other document was included in today's Fed-Ex delivery.

Very truly yours,



ELENA RUTH SASSOWER

cc: Appellate Term  
ATT: David Ryan, Senior Court Clerk

*ERD-1*

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 \*\*\* TX REPORT \*\*\*  
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(2) "petitioner's memorandum of law"

**LEONARD A. SCLAFANI, P.C.**

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**FACSIMILE**

DATE:

8/22/08

TO:

ELOKA SASSOWAY

FAX NO:

914-458-4994

FROM:

Leonard A. Sclafani, Esq.

RE:

Mc Fadden v SASSOWAY

NUMBER OF PAGES (INCLUDING COVER PAGE):

8

SPECIAL INSTRUCTIONS:

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August 22, 2008

Elena Sassower  
16 Lake Street - Apt 2C  
White Plains, New York 10603

RE: McFadden v. Sassower  
Premises: 16 Lake Street - Apt 2C  
White Plains, New York

Dear Ms. Sassower:

I am in receipt of your fax of today's date in which you claim to have recieved from me this morning in the fed ex package that I sent to you last night only a copy of Mr. McFadden's affidavit in opposition to your motion to the Appellate Term for "vacatur/dismissal" and a copy of Mr. McFadden's memorandum of law in opposition to that motion. As I personally assembled the documents that you received, placed them in the fed ex envelope, sealed it, addressed it and delivered it to fed ex, I know without any doubt that included in the envelope that you received was a conformed copy of an order to show cause signed by Justice Sheinkman of the Appellate Term yesterday and my supporting affidavit. I herewith transmit to you under cover of this fax letter an ADDITIONAL copy of those documents.

Very truly yours,

  
Leonard A. Sclafani