

June 26, 2006

Khaid Elhassan
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

To: The Honorable Joseph A. Greenway, Jr.
United States District Court for the District of New Jersey
50 Walnut Street
Newark, NJ 07101

Re: Elhassan v. Goss, et al.
Docket No. 2:06-cv-01000-JAG-MCA

Dear Judge Greenway:

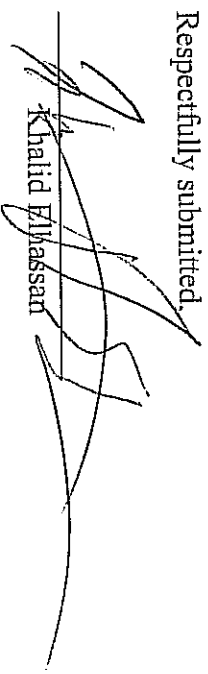
I am in receipt of a copy of Ms. Susan Handler Menahem's letter of June 21, 2006, and believe that comment is appropriate.

In calendaring the opposition due date, my secretary contacted the Clerk of Court, and was informed that opposition to the Defendants' 12(b)(6) motion was due within twenty days of service. See attached Affidavit of Maria Marciano. Accordingly, I filed the opposition on June 19th, assuming that it was three or four days early, and unaware that an extension of time was warranted¹. I apologize for the mishap.

I should also inform the Court that on Friday, June 23rd, 2006, my secretary contacted the Court, twice, to enquire whether oral argument was scheduled for today, Monday, June 26th, and whether Plaintiff needed to be present. She was twice informed that no oral argument was scheduled, his presence was not required, and that the Court would contact Plaintiff regarding the date and time of any future proceedings. Affidavit.

Respectfully submitted,

Dated: 6/26/2006


Khaid Elhassan

cc: Susan Handler-Menahem

¹ Defendants contend that they have not electronically received an accompanying affidavit. Plaintiff has not filed anything electronically to date. Indeed, Plaintiff's inability to file electronically is at the center of his appeal from an order denying his admission pro hac vice in this case, currently pending before the Court. Instead, Plaintiff sent the opposition to defense counsel, in hard copy, via certified mail, on June 19, 2006.

AFFIDAVIT

Maria Marciano, legal secretary at the law firm [REDACTED],

certifies and avers as follows:

1. On or about June 5, 2006, I enquired of the Office of the Clerk, United States District Court for the District of New Jersey, Newark Division, as to the due date for the opposition papers regarding the Defendants' motion to dismiss in Elhassan v. Goss, et al., Docket No. 2:06-cv-01000-JAG, and was informed that opposition was due 20 days after service of the motion.

2. On Friday, June 23, 2006, I twice called the Office of the Clerk, United States District Court for the District of New Jersey, Newark Division, to enquire whether oral argument was scheduled for June 26, 2006, on Elhassan v. Goss, et al., supra, and whether Plaintiff needed to be present on that date. Both times I was informed that no oral argument was scheduled, and that Plaintiff would be informed via letter or telephone call from the Court, of the date of oral argument.

I certify that the foregoing statements made by me are true. I am aware that I am subject to punishment if any of the foregoing statements made by me are willfully false.

Respectfully Submitted,

Dated: 6-26-06 By: *Maria Marciano*
Maria Marciano