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February 27, 2009

United States District Court
Middle District of Pennsylvania
William J. Nealon Federal Building & Courthouse
235 N. Washington Avenue
P.O. Box 1148
Scranton, PA 18501

Attention: Honorable A. Richard Caputo

Re: Richard Banks, et al. v. Karen Gallagher, et al.
Edward J. Kraft, Jr. v. Karen Gallagher, et al.
USDC for the Middle District of PA, Civil Action No. 08-1110 and 08-01177
Our File No.: 07770.00102

Dear Judge Caputo:

In the above referenced consolidated matters I represent the defendants, Dickson City Borough, Chief William Stadnitski, Officer Karen Gallagher and Office Anthony Mariano. At the request of all parties, the consolidated matters are scheduled for a settlement conference before Magistrate Judge Malachy E. Mannion for March 4, 2009.

Both insurance coverage issues and procedural issues regarding these claims have just arisen. Until such time as these issues are resolved, the defendants will not be in a position to move forward with further settlement discussions. Therefore, the defendants respectfully request

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a postponement of the settlement conference. The defendants are hopeful that in the near future they will be in a position to advise the court that these issues have been resolved.

I apologize for any inconvenience to the court and to all counsel. Should there be any questions, please do not hesitate to contact me.

Very truly yours,

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

/s/Louis J. Isaacsohn

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Cc: Magistrate Judge Malachy E. Mannion (*via fax and regular mail*)
Robert J. Magee, Esquire (*via fax and regular mail*)
Johanna Gelb, Esquire (*via fax and regular mail*)