

January 10, 2014

U.S. District Judge Alfred V. Covello
United States District Court
450 Main Street – Suite 125
Hartford, CT 06103

In Re: Shew v. Malloy, et al
Case No.: 3:13-cv-739 (AVC)
GS File No. 11350.0011

Your Honor:

Please be advised that this office represents all of the plaintiffs in the above-referenced action. As you are aware, there is a hearing before you on all pending motions for summary judgment currently scheduled to take place on January 30th, 2014. Please note that when the Plaintiffs filed their motion for summary judgment, they indicated on the first page of that motion that oral argument was requested and testimony would be required. (*See* ECF Doc. 60). Further, when the Plaintiffs wrote to you on November 21st, 2013 they requested a hearing (as opposed to argument only) on the dispositive motions currently pending before you. A Notice issued by the Court on December 3rd, 2013 indicated that a hearing (as opposed to oral argument only) was to be held on January 30th, 2014. (*See* ECF Doc. 110).

It is the Plaintiffs' intention to call one (and possibly two) live witnesses during the hearing. As a matter of housekeeping, I called Maura Murphy Osborne of the State Attorney General's Office to inquire if the State intended to call any witnesses, and to make the Plaintiffs' intentions clear to her. Ms. Osborne's understanding was that there was to be oral argument only on January 30th, with no live testimony to be elicited.

I am therefore writing to seek the Court's guidance on the scope of the proceedings to take place on January 30th and to ensure (prior to incurring the expense of having witnesses travel to Hartford) that the Plaintiffs can call witnesses to testify on that date. Plaintiffs are also requesting a teleconference to discuss this request. We are available to discuss these issues at the Court's earliest convenience.

Thank you very much for your consideration.

Respectfully Submitted,

GOLBERG SEGALLA, LLP

Brian T. Stapleton

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The Hon. Alfred Covello

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