

ADMITTED TO PRACTICE IN:
NEW YORK; NEW JERSEY;
UNITED STATES SUPREME COURT;
U.S. COURTS OF APPEALS FOR THE
SECOND AND THIRD CIRCUITS;
U.S. DISTRICT COURTS FOR THE
DISTRICT OF CONNECTICUT,
NORTHERN DISTRICT OF FLORIDA,
NORTHERN DISTRICT OF ILLINOIS,
DISTRICT OF NEW JERSEY, AND
NORTHERN, SOUTHERN & EASTERN
DISTRICTS OF NEW YORK; U.S.
COURT OF INTERNATIONAL TRADE;
U.S. COURT OF FEDERAL CLAIMS.

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June 14, 2016

The Honorable Pamela K. Chen
United States District Judge, United States District Court, E.D.N.Y.
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Maloney v. Singas*, CV-03-0786

Via ECF

Dear Judge Chen:

I am the *pro se* plaintiff in the above-captioned matter and am writing to request, to the extent that same may be required, a reopening of discovery for the sole purpose of obtaining business records in advance of trial by causing to be served on Asian World of Martial, Arts, Inc., a true copy of the subpoena attached hereto.

After a diligent search, I have concluded that there are no statistics publicly available indicating the numbers of nunchaku sold or owned in the United States in the years since 1974 and thereby having possible probative value on the question of whether nunchaku are “commonly used for lawful purposes” even after they were banned in New York in 1974, see Memorandum and Opinion of May 22, 2015 (Document 146). Although one of my experts has, in his report, provided an estimate of the number of martial arts studios teaching nunchaku, the only means of gaining reliable information about the number of nunchaku sold/used would be through the business records of one of the martial arts suppliers. The most established among these, at least on the East Coast, is almost certainly the Asian World of Martial, Arts, Inc., which was founded in 1972. In a telephone conference call among several of that corporation’s officers and myself yesterday, I diligently and persistently sought to persuade the President and Founder, Ms. Georgette Ciukurescu, to produce such records voluntarily, but I was unsuccessful. Accordingly, I move the court for permission to serve the attached subpoena seeking such records.

Opposing counsel, Liora Ben-Sorek, Esq., has indicated to me today that she does not oppose this application, and that she accepts this letter as notice of my intention to serve the subpoena as required under FRCP 45(a)(4).

Respectfully,

/s
James M. Maloney

cc: all attorneys who have appeared via ECF