

WEIL, GOTSHAL & MANGES LLP

247 FIFTH AVENUE  
NEW YORK, NY 10017  
(212) 310-8000  
FAX: (212) 310-8007

BOSTON  
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DALLAS  
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WARSAW  
WASHINGTON, D.C.

DAVID J. LENDER  
DIRECT LINE (212) 310-8153  
E-MAIL david.lender@weil.com

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**BY FACSIMILE AND MAIL**

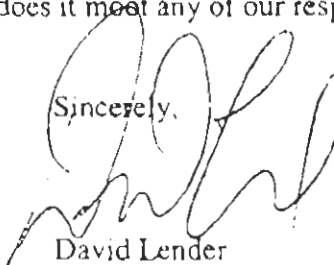
Henry M. Grubel, Esq.  
HENRY M. GRUBEL, P.C.  
37 Prospect Street  
Freeport, NY 11520

Re: **LoPresti v. Citigroup, Inc., et al.**

Dear Mr. Grubel:

This is written in response to your August 24, 2004 letter. Your letter is based entirely on a faulty premise. As I have repeatedly stated in papers filed with the Court, at the hearing I stated that I represented the Citistreet and State Street Defendants. The fact that there is an error in the transcript does not change the facts that your motions to (i) recuse Judge Pohorelsky, (ii) for a default judgment and (iii) for sanctions under Rule 11 are entirely without merit. Nor does it moot any of our responses to those frivolous motions.

Sincerely,



David Lender