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March 25, 2003

Via Federal Express Mail #839715977499

James M. Flynn, Clerk
Superior Court of New Jersey
Appellate Division
R.J. Hughes Justice Complex
P.O. Box 006
Trenton, New Jersey 08625

**Re: G. Philip Lewis v. Board of Trustees, Public Employees' Retirement System
Docket No. A-1093-02T2**

Dear Mr. Flynn:

I am in receipt of Debra A. Allen, Deputy Attorney General's letter dated March 20, 2003, which I enclose herein for your review. This is in response to her request for a thirty-day extension to respond to my client's Appellate Brief.

Ms. Allen indicated in her letter that her secretary left several messages requesting consent for an extension of time and that I had not returned the secretary's calls. This is incorrect. Specifically, Ms. Allen's secretary contacted my office on March 19, 2003 at 11:25 a.m., asking for a thirty-day extension. The caller stated that Ms. Allen had been ill and that they requested a thirty-day extension.

On March 19, 2003, (the same day) I spoke to my client, G. Philip Lewis who is adamantly opposed to granting any extension requests. It was later in the afternoon that I telephoned Ms. Allen's office and left a voice message on Ms. Allen's secretary's answering machine, advising her of my client's position.

On March 20, 2003, at approximately 3:35 p.m., a staff member of mine, called Kevin Collins, Case Manager in the Appellate Division informing him that Ms. Allen's office had requested a thirty-day extension and that our client's position was that we objected to any extension.

On March 24, 2003 at approximately 10:30 a.m. Ms. Allen contacted my office and left a message regarding a request for a thirty-day extension.

In the early afternoon of March 24, 2003, Ms. Allen called my office again and I had my staff ask her to hold so that I could speak to her regarding her earlier message. I spoke to Ms. Allen and echoed my client's objecting to her request for a thirty-day extension.

As the above chronology of telephone calls lists and describes, it is not true that my office does not return calls. It is always the practice of my office to return calls, particularly in light of the fact that attorneys are frequently accused of not returning calls.

Many thanks for your time and consideration of my client's objection to a thirty-day extension of time for the Attorney General's office to respond to my client's appeal.

Very truly yours,

/s/ JOHN G. DeSIMONE

JOHN G. DeSIMONE, ESQUIRE

JGD:rm

Enc.

cc: G. Philip Lewis

Debra A. Allen, Deputy Attorney General

Kevin Collins, Case Manager, Appellate Division



State of New Jersey

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March 20, 2003

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Re: G. Philip Lewis v. Board of Trustees, Public
Employees' Retirement System
Docket No. A-1093-02T2

Dear Mr. Flynn:

I respectfully request a 30-day extension of the filing date for Appellant's brief from March 24, 2003 to April 24, 2003. I am requesting this extension, due to an extensive hearing schedule. My secretary has left several messages requesting consent for the extension, and our adversary has not returned our calls.

If I do not hear otherwise from the Appellate Division, I will assume this request has been granted.

CERTIFICATION

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

Sincerely yours,

PETER C. HARVEY
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: Debra A. Allen
Debra A. Allen
Deputy Attorney General

DAA:lv
c: John G. DiSimone, Esq.