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May 8, 2015

The Honorable Eric N. Vitaliano, United States District Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201
Via CM/ECF

Re: *Stephens v. Trump Organization LLC, et al.*; 1:15-cv-02217-ENV-LB

May It Please The Court:

Plaintiff respectfully requests leave of court to request a pre-motion conference to discuss Plaintiff's intent to file a motion to disqualify counsel Matthew R. Maron, Esq. of Trump Organization LLC as counsel for Defendants Trump Organization LLC, Donald J. Trump, Alan Garten, and Michael Cohen on the grounds that (1) Matthew R. Maron, Esq. of Trump Organization LLC is likely to be a witness on a significant issue of fact in this matter or, in the alternative, (2) another lawyer or lawyer(s) in Mr. Maron's firm or organization is likely to be called as a witness on a significant issue other than on behalf of his client, and it is apparent that the testimony may be prejudicial to his client.

Rule 3.7(a) of the New York Rules of Professional Conduct provides, "A lawyer shall not act as advocate before a tribunal in a matter in which the lawyer is likely to be a witness on a significant issue of fact[.]" Rule 3.7(b) of the New York Rules of Professional Conduct provides, "A lawyer may not act as advocate before a tribunal in a matter if[] another lawyer in the lawyer's firm is likely to be called as a witness on a significant issue other than on behalf of the client, and it is apparent that the testimony may be prejudicial to the client[.]"

Plaintiff intends to call Matthew R. Maron, Esq. of Trump Organization LLC as a witness on a significant issue of fact in this action. For the foregoing reasons and other issues that Plaintiff will submit to the Court by brief in its motion, Plaintiff respectfully requests leave for a pre-motion conference to discuss Plaintiff's intended motion to disqualify counsel. In the alternative, if the Court determines that a pre-motion conference is unnecessary, Plaintiff will proceed with its anticipated motion to disqualify counsel consistent with the local and federal procedural rules.

Sincerely,

s/ Brian L. Ponder

BRIAN L. PONDER, ESQ. (BP0696)

Attorney for Plaintiff SCOTT STEPHENS

brian@brianponder.com

cc: All parties and their attorneys of record via CM/ECF

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that a true and correct copy of the foregoing document has been served upon all parties and their attorneys of record via CM/ECF.

Dated: New York, New York
May 8, 2015

By: s/ Brian L. Ponder
BRIAN L. PONDER, ESQ. (BP0696)