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SENT VIA ECF

August 24, 2018

Honorable Marilyn Dolan Go
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: *Gayle, et. al. v. Harry's Nurses Registry, Inc., et. al.*
Docket No. 07-CV-4672(NGG)(MDG)

Your Honor:

I have now had an opportunity to review Mr. Bernstein's letter to you of August 17, 2018 with my client, as well as your short form ECF Order of the same day. This is my response due by August 24, 2018. Unfortunately, Mr. Bernstein's own letter indicates that he has not received responses from Yolanda Robinson, Paulette Miller, Linden Morrison and Martha Ogunjana. These are three out of the four plaintiffs that I referenced in my August 3, 2018 letter to you together with Ms. Ogunjana.

In my letter to you of July 9, 2018, I enclosed copies of the judgments that remain outstanding and which had not been satisfied. Copies were also supplied to Mr. Bernstein. We have since learned by checking with the Queens County Clerk that those judgments have been satisfied but still appear on my client's credit report which he is undertaking to resolve.

It is my understanding that pursuant to Judge Garaufis's Order of September 27, 2017, that the following judgments must be satisfied by Mr. Bernstein in federal court:

Judgment 1: \$619,071.76 on 09/12/2012 (Claudia Gayle);
Judgment 2: \$ 14,780.00 on 12/31/2010 (Claudia Gayle);
Judgment 3: \$256,678.46 on 10/22/2013 (for Nurse adjustments and legal fees); and
Judgment 4: \$ 41,429.17 on 06/15/2015 (for legal fees).

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To: Honorable Marilyn Dolan Go
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Judge Garaufis also noted in his order of September 27, 2017 that Mr. Dorvilier had alleged that Mr. Bernstein had "double dipped" by charging his clients for contingency fees and also charging those same fees over to Mr. Dorvilier amounting to an extra \$171,643.73 paid by Mr. Dorvilier under the federal judgment. On the total judgment of \$931,959.39, Mr. Bernstein charged clients \$275,002.00 and also received \$171,643.73 from Mr. Dorvilier. He also has an additional \$13,544.04 in his escrow account and not disbursed (in addition, \$23,630.30 in checks have not been claimed). Of the \$931,959.39 paid by Mr. Dorvilier, Mr. Bernstein received 51.91% of those monies and this is the nature of Mr. Dorvilier's "double dipping" claim that these monies should be refunded to Mr. Dorvilier (\$171,643.73).

Thank you for your consideration of this matter.

Respectfully submitted,



Thomas F. Liotti

TFL:jml

cc: Jonathan A. Bernstein, Esq. (via electronic filing only)
Mr. Harry Dorvilier/Harry's Nurses Registry, Inc.