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March 23, 2016

VIA ECF

Hon. James C. Francis IV
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: **Lan v. AOL Time Warner, Inc. et al**
SDNY Case No. 11-CV-02870(AT)(JCF)

Dear Judge Francis:

As you are aware, this firm represents Keo-Sung Liu, Gina Hiu-Hung Liu, individually and as trustees of Goodwill for Sang Lan Fund, (collectively "Defendants"), in connection with the referenced matter. I write to address the issue regarding the location of Plaintiff Sang Lan's deposition.

As Defendants stated in the pretrial conference before Your Honor on March 10, 2016, it is Defendants' position that Sang Lan should be required to appear for her deposition in New York. All of the allegations in the Complaint took place in New York and Sang Lan elected to sue Defendants in the Southern District of New York.

On May 20, 2014, nearly two years ago, when Your Honor ruled that Sang Lan may be deposed by videoconference, she had been experiencing health problems in connection with her pregnancy.

Since that time Sang Lan has resumed travelling. In September 2014, five months after Sang Lan delivered her baby, she traveled from Beijing to Shanghai for a commercial promotion and to enter into a business contract with a nursing home. During that time, Sang Lan also traveled from Shanghai to Ningpo, where she participated in several lengthy interviews on

Chinese television and for newspapers. More recently, on June 11, 2015, Sang Lan applied for a visa to visit the United States. On February 1, 2016, Sang Lan posted a photo of her travelling on an airplane with her son. Copies of photographs documenting these appearances and a copy of her Visa application to come to the United States are collectively annexed hereto as Exhibit A. It is evident to Defendants that Sang Lan's health condition is not preventing her from travelling for media appearances and accordingly, she should be required to appear for her deposition in New York.

On January 8, 2016, (Docket # 293), Sang Lan's attorney informed Your Honor that "Plaintiff has represented to counsel that she is prepared, willing and able to fully participate in discovery in this matter in order to allow adjudication on the merits." Defendants submit that to fully participate in discovery Sang Lan should attend an in person deposition in New York.

Further, to hold a deposition via videoconferencing is very costly. Accordingly, it is Defendants position that if Your Honor permits Sang Lan's deposition to proceed via videoconference, the costs for the videoconferencing and translation should be borne by Sang Lan.

Finally, it is our clients' position that if Sang Lan is permitted to appear by video conference for her deposition, then our clients, who are now elderly and Nevada residents should be allowed the option to appear by videoconference as well.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Milo Silberstein', with a stylized flourish at the end.

Milo Silberstein

Enclosures

MS/mlb

cc: Mr. Keo-Sung Liu
Ms. Gina Hiu-Hung Liu