

June 23, 2003

The Hon. Samuel Sferrazza
Judicial District of Tolland
20 Park St.
Rockville, CT 06066

RE: UNIVERSITY OF CONNECTICUT V. BOSTON COLLEGE CV 03 0826088S

Dear Judge Sferrazza:

We have received your order dated today convening a hearing on Thursday morning, June 26, 2003, on objections to the transfer of this case to the Complex Litigation Docket in Tolland. We welcome this opportunity and are grateful that you will hear the parties at that time. We also hope that you will permit discussion as to not only this issue, but also a schedule for depositions and document production.

We are concerned that the defendants' venue objections are merely designed to delay critical and time-sensitive discovery and the progress of this case generally. As we expressed in our June 13, 2003 letter to Judge Pellegrino and Judge Langenbach, we have no objection to having the case proceed before Your Honor in Tolland or before a Complex Litigation Judge in Waterbury, which appears to be defendants' preferred venue. We are ready and willing to proceed in either venue – as speedily as possible, in light of ongoing, urgent events. Regardless of whether your Honor keeps the case or transfers it to another Judge, we respectfully request that you or another Judge promptly consider the plaintiffs' motion for expedited discovery, to which the University of Miami and Boston College have already responded. As you will note from the parties' filings, events in this matter are moving rapidly, and the plaintiffs' need for immediate discovery remains urgent.

Although we see no need to transfer the case from the Tolland Judicial District, we are principally concerned that whichever Judge hears the matter take up the question of discovery immediately so as not to prejudice any of the parties to this dispute. We will be prepared to address the issue of expedited discovery on Thursday morning, or at any other time that Your Honor or another Judge will hear us.

Very truly yours,

For the University of Connecticut

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