

Please reply to Hackensack

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\*Admitted in New Jersey

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## VIA FACSIMILE @ (201) 569-2881 and REGULAR MAIL

Michael Kimm, Esq. Kimm Law Firm 41 West Bencker Street Englewood, New Jersey 07631

Re:

L&K Dental, P.A. et al. vs. Receivable Management Service, et al.

Docket No.: BER-L-9555-09

Dear Mr. Kimm:

As you are aware, this law firm represents the defendant, Transnational Communications International ("TNCI") in the above referenced matter.

Please be advised that Count II of the Complaint, seeking unspecified and unascertainable damages for purported violations of the New Jersey Consumer Fraud Act is frivolous and clearly interposed in bad faith in violation of N.J.S.A. 2A:15-59.1. TNCI also asserts that this Complaint in an effort to help plaintiffs avoid paying TNCI \$1,931.78 for the telecommunications services and equipment properly delivered to and accepted by L&K Dental, P.A.

Pursuant to Rule 1:4-8(b), you are hereby served with written notice that the Complaint violates both N.J.S.A. 2A:15-59.1 and Rule 1:4-8 because the Complaint was presented for an improper purpose, such as to harass, cause unnecessary delay, and/or cause a needless increase in the cost of litigation.

Based on the foregoing, TNCI demands that Count II of the Complaint be dismissed as it pertains to TNCI with prejudice. You are hereby given notice that an application for sanctions will be made if Count II of the Complaint is not dismissed with prejudice within 28 days of service of this written demand against your firm and clients.

If Count II of the Complaint is dismissed as it pertains to TNCI with prejudice, then TNCI will not pursue any further action for the \$1,931.78 due and owing and the parties can exchange mutual releases without the necessity of TNCI filing for sanctions.

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<sup>\*\*</sup>Admitted in New Jersey & New York

Since this firm was instructed by TNCI to file an Answer and Counterclaim and zealously pursue sanctions if plaintiffs do not agree to this proposal, it is requested that you enter into a stipulation allowing TNCI additional time to file its responsive pleading while your clients weigh their options.

Please be guided accordingly.

Very truly yours,

Slonn R. Reiser, Esq.

Enclosure

cc: Phil Josephson, Esq. (via e-mail)

Glenn R. Reiser, Esq. (via e-mail)

