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BY EMAIL

Hon. Anthony J. Carpinello (Ret.)
Arbitrator, JAMS
620 Eighth Avenue, 34th Floor
New York, NY 10019

VRF I LLC v. Jeepers, Inc., JAMS Ref. No. 1425006537

Dear Judge Carpinello:

As you may recall, we represent Claimants in the above-referenced arbitration, which the parties agreed to settle at the end of July. As you may also recall, even though the parties agreed on a binding settlement agreement at the time, they also contemplated (a) the preparation of definitive settlement papers, and (b) that the parties would seek your assistance in the event the parties were unable to agree on such papers.

The parties have been negotiating the terms of such documents for over a month and a half, and, although they have made a great deal of progress, have still not been able to conclude their negotiations. Accordingly, to put an end to this process, Claimants now seek your assistance mediating the remaining issues. We would therefore like to schedule a day in the coming weeks in which the counsel for all of the parties to the settlement (and party representatives) would meet with you and would be prepared to mediate any and all outstanding issues and finalize the definitive settlement documents.

Please let us know your availability for such a mediation session, and we will coordinate among the parties to find a mutually convenient date.

Thank you very much for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Allan J. Arffa', with a long, sweeping horizontal line extending to the right.

Allan J. Arffa

cc: Harry Susman
Darren Indyke
John Siffert
Daniel Reynolds
William Schwartz
William O'Brien
James Windels