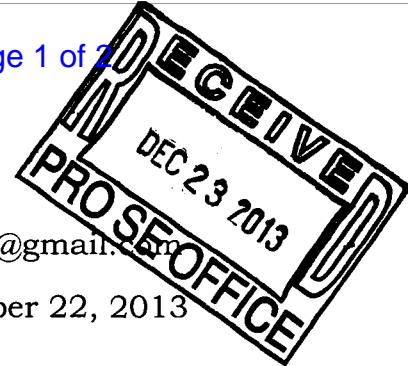




Yoel Weissshaus
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December 22, 2013

To: The Honorable Richard K. Eaton
United State District Court Judge
Southern District of New York
500 Pearl Street - New York NY, 10007

Re: Weissshaus v. Port Authority, et al. 11-cv-6616 (RKE)

Dear Judge Eaton,

I, Yoel Weissshaus, am the plaintiff. I submit this letter for an Order to release the summons in accordance with FRCP Rule 4.

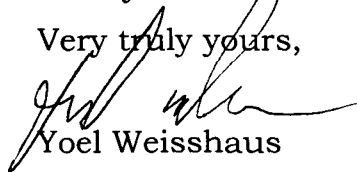
On October 30, 2013, at the teleconference, the Court granted my letter motion to amend the complaint. The motion included a request for the issuance of a summons. The Court also stated that a summons would issue when I file the amended complaint. On December 20, 2013, I filed the Verified Amended Complaint. Yet, when I filed the amended complaint, the Pro Se Office informed me that as a pauper, they could not release the summons without a written Order in accordance with Rule 4(c)(3).

This case was reopened following remand from the Second Circuit for the Court of Appeals. The mandate asks the Court to review the complaint under the dormant Commerce Clause. At no point did the Pro Se Office or the Clerk of the Court release the summons for service. Rule 4(b) states, "the clerk must sign, seal, and issue it [the summons] to the plaintiff for service on the defendant." A sample summons is attached.

I, therefore, ask that the Court So Order the Pro Se Office to release the summons for service.

I thank you in advance for consideration of this matter.

Very truly yours,



Yoel Weissshaus

Cc: Kathleen G. Miller for the Port Authority, by mail

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YOEL WEISSHAUS,	X	
<i>Plaintiff,</i>	:	
	:	
vs.	:	
	:	
PORT AUTHORITY OF NEW YORK AND NEW	:	Case: 11-cv-6616 (RKE)
JERSEY,	:	
	:	
<i>Defendant.</i>	:	
	X	

SUMMONS

To: Port Authority of New York and New Jersey
255 Park Avenue South, 17th Floor
New York, NY 10003

An Amended Complaint has been filed against you.

Within 21 days after service of this summons on you, (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint, or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff, whose address is, Yoel Weisshaus, 516 River Road 6, and New Milford, NJ 07646. If you fail to do so, judgment by default will be entered against you for the relief demanded in the attached Amended Complaint. You also must file your answer or motion with the court.

Dated: December 20, 2013
New York, NY

Clerk of Court