

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 11-4934-cv Caption [use short title] _____

Motion for: Permission to file appellee's appendix Yoel Weisshaus v. The Port Authority of NY & NJ

Set forth below precise, complete statement of relief sought:

Request permission to file an appellee's appendix because
the appendix filed by pro se Appellant was not agreed
upon by the parties.

MOVING PARTY: The Port Authority of NY & NJ OPPOSING PARTY: Yoel Weisshaus

- Plaintiff Defendant
- Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Kathleen G. Miller OPPOSING ATTORNEY: Pro Se
[name of attorney, with firm, address, phone number and e-mail]

<u>Office of James M. Begley</u>	<u>Yoel Weisshaus</u>
<u>225 Park Ave. South, 13th Floor</u>	<u>516 River Road #6</u>
<u>New York, NY 10003</u>	<u>New Milford, NJ 07646</u>
<u>212-435-3434</u>	<u>917-335-1933</u>

Court-Judge/Agency appealed from: Southern District of New York/Honorable Loretta A. Preska, Chief Judge

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):
 Yes No (explain): Plaintiff is pro se.

Opposing counsel's position on motion:
 Unopposed Opposed Don't Know

Does opposing counsel intend to file a response:
 Yes No Don't Know

Is oral argument on motion requested? Yes No (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set? Yes No If yes, enter date: _____

Signature of Moving Attorney: *Kathleen G. Miller* Date: 6/22/12

Has service been effected? Yes No [Attach proof of service]

ORDER

IT IS HEREBY ORDERED THAT the motion is **GRANTED DENIED**.

FOR THE COURT:
CATHERINE O'HAGAN WOLFE, Clerk of Court

Date: _____ By: _____

11-4934-cv

UNITED STATES COURT OF APPEALS
for the
Second Circuit

YOEL WEISSHAUS,
Plaintiff-Appellee,

NOTICE OF MOTION

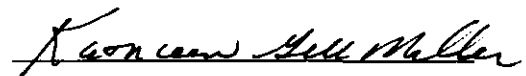
-v-

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY,
Defendant-Appellant

Defendant-Appellee, the Port Authority of New York and New Jersey ("Port Authority") by its attorney, James M. Begley, respectfully moves this Court upon the Declaration of Kathleen Gill Miller dated June 22, 2012, to grant permission to file an Appellee's Appendix.

June 22, 2012
New York, New York

James M. Begley



By: Kathleen Gill Miller, Esq.
The Port Authority of New
York and New Jersey
225 Park Avenue South, 13 F1.
New York, NY 10003

To:
Yoel Weisshaus
Pro Se Appellant
516 River Road, Apt. 6
New Milford, NJ 07646-1900

11-4934-cv

UNITED STATES COURT OF APPEALS
for the
Second Circuit

YOEL WEISSHAUS,
Plaintiff-Appellee,

DECLARATION

-v-

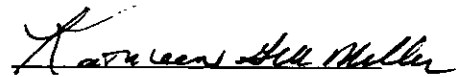
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY,
Defendant-Appellant

Kathleen Gill Miller declares pursuant to 28 USC § 1746 as follows:

1. I am an attorney with the Office of James M. Begley, attorney for Defendant-Appellee The Port Authority of New York and New Jersey ("the Port Authority") in the above-referenced matter. I make this declaration in support of the Port Authority's motion for permission to file an Appellee's Appendix.
2. Pro Se Plaintiff-Appellant filed his brief on March 29, 2012, accompanied by an Appendix.
3. The Appendix filed by Plaintiff-Appellant was never agreed upon by the Port Authority prior to its filing.

4. As such, the Port Authority respectfully requests permission to file a short Appellee's Appendix to supplement the Appendix filed by Plaintiff-Appellant, with its brief due on June 27, 2012.

Dated: June 22, 2012

A handwritten signature in cursive script that reads "Kathleen Gill Miller".

Kathleen Gill Miller, Esq.

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

CAPTION:

Yoel Weissshaus v.

The Port Authority of NY & NJ

CERTIFICATE OF SERVICE

Docket Number: 11-4934-cv

I, Edward W. Schroll, hereby certify under penalty of perjury that on
(name)
06/22/2012, I served a copy of Appellee's Motion for Permission to File
(date)
Appellee's Appendix.

(list all documents)

by (select all applicable)*

- United States Mail
- Federal Express
- Overnight Mail
- Facsimile
- E-mail
- Hand delivery

on the following parties (complete all information and add additional pages as necessary):

<u>Yoel Weissshaus</u>	<u>516 River Road #6</u>	<u>New Milford</u>	<u>NJ</u>	<u>07646</u>
Name	Address	City	State	Zip Code
Name	Address	City	State	Zip Code
Name	Address	City	State	Zip Code
Name	Address	City	State	Zip Code

06/22/2012
Today's Date


Signature

*If different methods of service have been used on different parties, please indicate on a separate page, the type of service used for each respective party.