

# COVINGTON & BURLING LLP

620 EIGHTH AVENUE  
NEW YORK, NY 10018  
TEL 212.841.1000  
FAX 212.841.1010  
WWW.COV.COM

NEW YORK  
WASHINGTON, DC  
SAN FRANCISCO  
LONDON  
BRUSSELS

JASON P. CRISS  
TEL 212.841.1076  
FAX 646.441.9076  
JCRISS@COV.COM

February 1, 2008

*BY HAND DELIVERY*

Honorable José A. Cabranes  
Honorable Wilfred Feinberg  
Honorable Pierre N. Leval  
c/o Catherine O'Hagan Wolfe  
Clerk of Court  
United States Court of Appeals for the Second Circuit  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *Ehrenfeld v. Bin Mahfouz*, No. 06-2228-cv

Dear Judges Cabranes, Feinberg and Leval:

We represent the *amici curiae* in the above-referenced appeal, and write in response to the Court's invitation to comment upon the recent opinion of the New York Court of Appeals responding to the certified question from this Court. *See Ehrenfeld v. Bin Mahfouz*, 2007 WL 4438940, 2007 N.Y. Slip Op. 09961 (N.Y. Dec. 20, 2007).

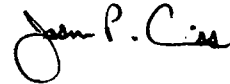
The *amici curiae* agree with Dr. Ehrenfeld that judicial economy will be served if the Court defers further action on this appeal until the New York State Legislature acts on the Libel Terrorism Protection Act, S.6687/A.9652. The Act, which was introduced in response to the New York Court of Appeals' December 20, 2007 opinion, would amend the long-arm statute to provide for personal jurisdiction over parties like Mr. Bin Mahfouz who obtain foreign

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defamation judgments against New York authors like Dr. Ehrenfeld, to the fullest extent permitted by the United States Constitution. We therefore join in Dr. Ehrenfeld's request that the panel refrain from immediately issuing a decision in this case and instead give the New York State Legislature a reasonable period of time to consider and enact this legislation.

Respectfully submitted,

A handwritten signature in black ink that reads "Jason P. Criss". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Jason P. Criss

cc: Daniel J. Kornstein, Esq. (by email and first class mail)  
Timothy J. Finn, Esq. (by email and first class mail)