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◊ ONLY ADMITTED IN D.C. & MARYLAND

February 22, 2011

VIA MESSENGER

The Honorable Gladys Kessler
United States District Court for the
District of Columbia
333 Constitution Avenue, N.W.
Washington, D.C. 20001

***Re: 3D Global Solutions, Inc. v. MVM, Inc.
Case No. 06-0722***

This letter concerns the trial date that the Court scheduled in the matter of 3D Global Solutions, Inc. v. MVM, Inc. The trial is presently scheduled to begin on March 14, 2011.

We represent the plaintiff in a case pending in Loudoun County Circuit Court, Pabon v. MVM, Inc. et al., Case No. 60910. One of the defendants in Pabon is MVM, Inc., which is also a defendant in the 3D Global Solutions case before the Court.

The Court scheduled the 3D Global Solutions trial on August 26, 2010. However, when the Court scheduled the trial, MVM failed to inform the Court that a trial date had been scheduled two months earlier in Pabon, on June 14, 2010, for the same week (March 14-17, 2011). See attached Order.

For nearly six months, MVM knew this Court and the Loudoun County Circuit Court had scheduled the two trials for the same time, and said nothing, to either court, or their own counsel, until very recently, a short time before both trials are to begin. When MVM surprised its counsel in Pabon with the conflict, counsel filed a motion with the Loudoun court asking for a postponement of the Pabon trial (see attached Motion), despite the fact that our client, Mr. Pabon, has been waiting nine months for his trial to

begin, and his trial was scheduled two months before this Court scheduled the trial in 3D Global Solutions. The postponement motion will be heard on March 4, 2011.

It is respectfully submitted to the Court that, under these circumstances, it is unfair for Mr. Pabon's trial to be the one postponed, and the Court is asked to resolve the present conflict by rescheduling the 3D Global Solutions trial to another date.

Our apologies go to the plaintiffs and their counsel in 3D Global Solutions for our having to make this request, but the current circumstances were not of our client's making and have left us with little choice.

We thank the Court for its considerations in this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Peter C. Cohen /mm". The signature is written in a cursive style.

Peter C. Cohen

Enclosures as stated

cc: Athan T. Tsimpedes, Esquire
Sean F. Murphy, Esquire
Anand V. Ramana, Esquire
John M. Remy, Esquire
Matthew F. Nieman, Esquire
Mr. Gilbert Pabon

VIRGINIA: IN THE CIRCUIT COURT OF LOUDOUN COUNTY

GILBERT PABON
Plaintiff

v.

Case No: 60910

SILVER EAGLE GROUP, LLC
Defendant

CIVIL SCHEDULING ORDER

Upon the request for scheduling this day, it is hereby **ORDERED** as follows:

1. Hearing Date: This matter is scheduled for March 14-17, 2011, at 9 A.M. P.M. for the following:

Trial With Jury Without Jury
 Pendente Lite Equitable Distribution
 Custody/Support Motion

Other: Demurrer / Order JULY 6 1pm

2. Time Estimate: The time estimate for the hearing is 4 days
3. Pretrial Conference: A Pretrial conference is set for _____ at _____
4. Pretrial Scheduling Order: The parties are encouraged to promptly submit a Uniform Pretrial Scheduling Order as set forth in Rule 1:18 of the Rules of the Supreme Court of Virginia at the Pretrial Conference. If the parties are unable to agree on the Order, 14 days notice of the entry of the Order shall be given. Any party with an objection may file a motion and the Court will conduct a hearing
5. Divorce Cases: If the case involves equitable distribution of property, each party shall file the standard equitable distribution schedules that include §20-107.3 factors seven (7) days prior to the Pretrial Conference. The forms are the same forms used in most jurisdictions and they are available from the Clerk's Office
6. Clerk: The Clerk shall provide copies of this Order to all counsel of record and un-represented parties without charge.

ENTERED this 14TH day of JUNE, 2010



Circuit Court Judge

VIRGINIA:

IN THE CIRCUIT COURT FOR LOUDOUN COUNTY

GILBERT I. PABON,

Plaintiff,

v.

SILVER EAGLE GROUP, LLC, *et al.*

Defendants.

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) **Case No. 60910**
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DEFENDANTS' MOTION TO POSTPONE AND RESCHEDULE TRIAL

Defendants Silver Eagle Group, LLC, Silver Eagle Group Membership 1 LLC, Silver Eagle Group Northern Virginia LLC, Virginia Shooting Sports LLC, (hereinafter, the preceding defendants are collectively referred to as "SEG")¹, MVM, Inc., and Dario O. Marquez, Jr., (collectively, "Defendants"), by and through their undersigned counsel, John M. Remy, Matthew F. Nieman and Jackson Lewis LLP, hereby move the Court to postpone and reschedule the trial on Plaintiff's Amended Complaint due to the inadvertent simultaneously scheduling of trial in another matter involving both MVM, Inc. and Mr. Marquez in federal court.

This is an employment case related to Plaintiff's employment with SEG, a gun club, shooting range and retail store in Ashburn. MVM is a security contractor that has never employed Plaintiff. Marquez is the Managing Member of SEG, SEG's decisionmaker regarding Plaintiff's termination, and the President, Chairman, and Chief Executive Officer of MVM.

On February 11, 2011, Defendants filed for summary judgment on all of Plaintiff's remaining counts.² Defendants are noticing this motion to be heard the same day as the Court will hear oral arguments on the summary judgment motion.

¹ Defendants use the "SEG" shorthand for purposes of clarity in the context of this motion for summary judgment only and without concession that such shorthand has any legal significance.

² On January 18, 2011, Plaintiff moved for voluntary non-suit of Count Two (Negligent Retention of Employee against SEG), Count Three (Negligent Retention against MVM), and Count Six (Common Law Wrongful Termination of Employment against MVM).

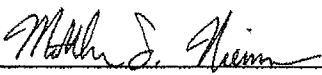
Trial in this matter is scheduled for March 14-18, 2011. A separate matter filed against MVM, Inc. is scheduled for trial at the same time before Senior Judge Gladys Kessler of the United States District Court for the District of Columbia. Mr. Marquez is the key witness in each case. The matters are being handled by separate outside counsel and the conflict was not discovered until very recently, although both trials have been scheduled since last summer. Counsel in this matter understand that MVM's counsel have been unable to reschedule the trial in D.C. federal court.

There is no harm in delaying the trial in this matter because both Parties agree there are little or no back pay damages, as Plaintiff makes significantly more money in his new position since leaving SEG.

Accordingly, given the pending motion for summary judgment in this matter and the central role of Mr. Marquez in both pending trials, Defendants request this matter be postponed to the earliest alternate date agreeable to all Parties and the Court's schedule can be derived.

Respectfully submitted,

Date: February 18, 2011




John M. Remy, Esq., VA Bar No. 65863
Matthew F. Nieman, Esq., VA Bar No. 47231
JACKSON LEWIS LLP
10701 Parkridge Blvd., Suite 300
Reston, Virginia 20191
(703) 483-8300 – Telephone
(703) 483-8301 – Facsimile
Counsel for Defendants

CERTIFICATE OF SERVICE

The undersigned certifies that on this 18th day of February, 2011, I served a copy of the foregoing *Defendants' Motion to Postpone and Reschedule Jury Trial* to be hand filed with the Clerk of Court and sent via electronic mail, per agreement of counsel, to the following:

Elaine Charlson Bredehoff, Esq.
Peter Cohen, Esq.
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Counsel for Plaintiff



Matthew F. Nieman, Esq.