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June 8, 2016

Via Facsimile 216-357-7195 only

Honorable Dan Aaron Polster, U.S.D.J.
United States District Court
Northern District of Ohio
Eastern Division
801 West Superior Avenue
Cleveland, Ohio 44113-1837

RE: Daniels Sharpsmart, Inc. v. Comprehensive Waste Stream Consulting LLC
Case No.: 1:15-cv-02234-DAP

Dear Judge Polster,

Before responding substantively to your Order I must advise you that I am not subject to your jurisdiction and, by submitting this letter to you, I do not intend to subject myself to your jurisdiction. I am submitting this letter solely out of courtesy and respect for Your Honor and do not mean or agree in any manner whatsoever to subject myself to the jurisdiction of this court.

With that qualification and reservation I submit this response.

First, I am not the attorney of record for any defendant in this case. I am not a partner, associate or employee of Francis P. Manning Esq. or Josephine L. Begin, Esq. I am not counsel with either of those attorneys. I am not assisting them in any manner in this case nor have I ever spoken to either of them.

Next, I am not an employee, officer, director or member of Comprehensive Waste Stream Consulting, LLC. Nor, am I on any retainer agreement with that LLC.

I am not admitted to practice before this Court nor am I admitted to practice in the State of Ohio.

I am not a resident of the State of Ohio nor do I own any real property or personal property in the State of Ohio. I have never transacted any business in the State of Ohio at any time.

I have not been present in the State of Ohio for at least six years or more. I have never provided legal services to anyone in the State of Ohio at any time.

I have absolutely no contacts with the State of Ohio or this Court that subjects me to the jurisdiction of this Court.

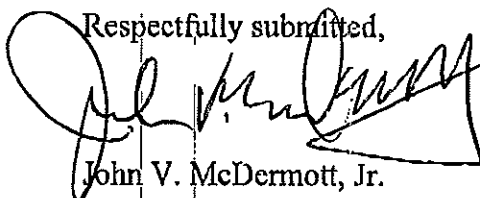
Further, I am not permitted to disclose any communications that I have had with any client without an express authorization from that client. Therefore, even if I were to appear before Your Honor I would invoke the attorney-client privilege as to any communications that I had with Gary McDermott.

Based upon all of the above, I respectfully advise Your Honor that I am not subject to your jurisdiction nor this Order that I saw for the first time today at approximately 2:30P.M. Therefore, I will not be appearing in response to your Order for all of the reasons set forth above. However, if any of my statements and reasons explained herein are incorrect, or if I have failed to consider some other applicable statute, rule, code, regulation or caselaw then I request that you advise of such authority and I will reconsider my decision.

In addition to the above, I have a substantial amount of work that I am required to perform for clients and have many deadlines imposed by courts in the State of New Jersey that I must comply with. I do not have the ability to lose an entire day or more to travel to Cleveland. Nor do I have the financial ability to purchase an expensive plane ticket on less than twenty-four hours' notice which would be made even more expensive because I would be unable to book a return flight today since I have no idea as to how long I would be in Cleveland.

I mean no disrespect for Your Honor or this Court but set forth all of the above as a legal basis that I deem to be applicable and sound. And, again I am responding solely out of courtesy and respect to this Court and do not submit this letter on the basis of subjecting myself to jurisdiction.

Respectfully submitted,



John V. McDermott, Jr.

JVM:pb

cc: Francis P. Manning, Esq. (fmanning@manning-law.com)



Dan Aaron Polster
Judge

United States District Court
Northern District of Ohio
801 West Superior Avenue
Cleveland, Ohio 44113-1837

Phone (216) 357-7190
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June 8, 2016

John V. McDermott, Jr
14 Church Street, Suite I
Vernon, NJ 07462

RE: 1:15-cv-02234-DAP Daniels Sharpsmart, Inc. v. Comprehensive Waste
Stream Consulting LLC et al

Dear Mr. McDermott:

I received your letter which was sent to my chambers this afternoon via
facsimile. The Order I issued earlier today stands. If you do not appear in court
tomorrow at 10:00 a.m., I will issue a bench warrant for your arrest.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Polster", written over a circular stamp or mark.

Dan Aaron Polster
United States District Court

DAP: han

cc: Francis P. Manning (fmanning@manning-law.com)