

MEMORANDUM OF POINTS AND AUTHORITIES

Defense Counsel is an attorney at the FSM Department of Justice in Pohnpei, whose office is situated in the State of Pohnpei. Defendant Kosrae State Government is located in the State of Kosrae. Plaintiff's Counsel is situated in the State of Pohnpei. Defendant's hereby request permission to file by facsimile as the Plaintiff filed this case in Kosrae, therefore all documents pertaining to this case must be filed in Kosrae. The Defendant will promptly mail the original and one copy to the court.

Dated: February 9, 2012

Respectfully submitted,



Daniel Rescue Jr.
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