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August 2, 2010

Via Overnight Mail, Return Receipt Requested

Gregory Dell, Esq.
Dell & Schaefer
2404 Hollywood Blvd.
Hollywood, FL 33020

Re: Demand to Cease and Desist

Dear Mr. Dell:

I represent Metropolitan Life Insurance Company ("MetLife").

MetLife is the owner of the famous, worldwide family of METLIFE® trademarks, including but not limited to, the marks: METLIFE®, METLIFE FINANCIAL SERVICES®, METLIFE BANK®, METLIFE ADVICE®, METLIFE INVESTORS® and MET® (the "METLIFE® Marks"). MetLife has used the METLIFE® Marks for more than forty years in connection with providing financial services including underwriting and administration services for individual and group life, health, homeowners and automobile insurance; annuities and pension funds; residential and commercial mortgage lending services; real estate brokerage and management services; and mutual fund brokerage and investment services. The METLIFE® Marks enjoy the protection of multiple United States federal trademark registrations, most of which have become incontestable.

It has come to our attention that, on your website located at www.diattorney.com (the relevant excerpts from your website are enclosed herewith), you have reproduced an exact reproduction of the MetLife Mark including the registered trademark icon. First, as you are aware, you have no legal right to utilize any of the MetLife® Marks in any manner. Second, reference to any of the MetLife® Marks dilutes the distinctiveness of the METLIFE® Marks by trading on the goodwill and reputation that the public associates with the goods and services provided by MetLife.

Your unlicensed use of one or more of the MetLife® Marks constitutes violations of MetLife's exclusive rights in its name and trademarks, pursuant to both Sections 1114 and 1125 of the Lanham Act, 15 U.S.C. §§1061 et seq., and are actionable at law. Through your receipt of this letter, you now have actual notice that your use of any of the MetLife® Marks constitute trademark infringement, trademark dilution and unfair competition in violation of the Lanham Act and Florida's Deceptive and Unfair Trade Practices Act.

In addition to your infringement of the MetLife Marks at your website located at www.diattorney.com, you have posted to your website numerous copies of MetLife's copyright protected "Disability Claim Forms". MetLife is the exclusive holder of the copyrights in these documents. MetLife as the owner of the copyright in these documents has, under 17 U.S.C. §106, the exclusive right to authorize the reproduction, distribution or display of these documents. It is a well-established principle of copyright law that a person or entity that violates any of the exclusive rights of the copyright owner is an infringer. Your action by posting these documents to your website violates MetLife's exclusive right to authorize the reproduction, distribution or display of these documents. Therefore, you may be found liable for MetLife's actual or statutory damages and MetLife's attorneys' fees and costs in connection with this matter.

MetLife hereby demand that by close of business on **Wednesday, August 11, 2010** you immediately:

(i) remove all references to MetLife from your website and any other marketing materials;

(ii) remove all of MetLife's copyrighted documents from your website; and

(iii) provide MetLife with written confirmation of your compliance with these demands.

While MetLife would prefer to resolve this matter short of litigation, the possibility of such a resolution depends entirely on your prompt and acceptable response. In the absence of a timely response, MetLife will have no choice but to consider all available legal remedies. The foregoing is not intended as a waiver, compromise or an offer of settlement, and is sent without prejudice to any rights, remedies defenses or future claims of MetLife in connection with this matter. All of which are expressly reserved.

If you are represented by counsel, please have your counsel contact me directly; otherwise contact me yourself.

Very truly yours,

Jeffrey E Francis

Jeffrey E. Francis

Direct line: 617 338 2993
jfrancis@sandw.com

JEF:kem

Cc: Elise Dieterich, Esq.
Kimberly Herman, Esq.

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MetLife

Metropolitan Life (MetLife) (NYSE: MET) was founded in 1868 and is headquartered in New York, NY. Met Life is the largest insurer in the United States. MetLife serves group benefit products and Individual benefit products. International segment serves these products to groups and individual in the Asia/Pacific region, Europe, and Latin America. The company's reinsurance business operates as Reinsurance Group of America, but serves customers worldwide. MetLife is widely known by their mascot, Snoopy from the Peanuts cartoon.

The Company's Institutional segment offers a range of group insurance and retirement and savings products and services to corporations and other institutions and their respective employees. Group insurance products and services include group life insurance, non-medical health insurance

MetLife

DISABILITY CLAIM FORMS

- MetLife Behavorial Health Assessment
- MetLife Attending Physician Form
- MetLife Group Long Term Disability Claim Forms
- MetLife Individual Disability Claimants Statement Form
- METLIFE INDIVIDUAL Long Term Disability Application

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corporations and other institutions and their respective employees. Group insurance products and services include group life insurance, non-medical health insurance products and related administrative services, as well as other benefits and services, such as employer-sponsored auto and homeowners insurance provided through the Auto & Home segment and prepaid legal services plans. Non-medical health insurance consists of products, such as accidental death and dismemberment, long-term care, short and long-term disability, individual disability income, dental insurance, and prepaid legal services.

METLIFE INDIVIDUAL Long Term Disability Application

In 1996 MetLife merged with New England Mutual Life and took over all of the disability insurance policies. In 2001, MetLife was the first insurance company to establish a financial holding company with a nationally chartered bank. MetLife entered the retail-banking arena with the launch of MetLife Bank. The sale of State Street Research & Management Company to Black Rock, Inc. was announced in 2004. In May 2008, MetLife Bank, N.A., completed the acquisition of EverBank Reverse Mortgage LLC, from its parent, EverBank Financial Corp. In May 2009, the Company sold Cova Corp., which is the parent company of Texas Life Insurance Co., to a third party. GenAmerica Financial and General American Life are wholly owned subsidiaries of MetLife, Inc. New England Financial, Texas Life Insurance Company, and Walnut Street Securities, Inc. are affiliates of Met Life, Inc. Throughout the past 15 years MetLife has either merged or purchased numerous insurance companies that sold long-term disability policies and plans.

In 2008, MetLife's revenues were $46.33 billion. Most of MetLife's individual disability policies are administered from their offices in Tampa, Florida. Attorneys Dell & Schaefer have sued MetLife numerous times and have gained a tremendous understanding and knowledge of the internal claims handling and procedures of the MetLife disability income division.

As disability insurance attorneys, Dell & Schaefer have represented numerous clients with their long-term disability claims against MetLife and its affiliated companies. Disability Attorneys Dell & Schaefer have provided and offer the following legal services for disability claimants that have a long-term disability insurance policy or disability income policy purchased from MetLife:

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Dell & Schaefer have provided and offer the following legal services for disability claimants that have a long-term disability insurance policy or disability income policy purchased from MetLife:

- Application for long-term disability benefits with MetLife
- Application for short-term disability benefits with MetLife
- Monthly claim handling of MetLife long-term disability insurance claims
- Appeal of a MetLife denial of long-term disability benefits
- ERISA appeal of a MetLife denial of long-term disability benefits
- Lawsuit against MetLife for denial of long-term disability benefits
- Lump-sum buyout of a MetLife long-term disability insurance policy
- Department of Insurance complaints against MetLife for wrongful delay and denial of long-term disability benefits

For assistance with your MetLife disability insurance claim, please fill out our contact us form or call Attorneys Dell & Schaefer for a free consultation at 800-682-8331.

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Disability benefits cases involving MetLife:

- New York court rules that MetLife abused discretion when it denied chronic fatigue claim (Part II)
- MetLife denies chronic fatigue syndrome long term disability claim
- MetLife approves disability insurance benefits for OB/GYN suffering from multiple orthopedic conditions
- Court orders Citigroup and MetLife to answer discovery request exposing conflict of interest in long-term disability benefit denial
- MetLife denies long-term disability benefits to a consultant after approving them
- MetLife ordered to reverse denial of long-term disability insurance benefits
- MetLife must reconsider denial of benefits for former MetLife employee
- MetLife abused its discretion when it terminated long-term disability benefits
- MetLife terminates long-term disability benefits to woman with fibromyalagia
- 10th Circuit Court of Appeals validates MetLife's accidental death and dismemberment denial
- US court of appeals upholds denial of disability benefits by MetLife
- MetLife's denial of short-term disability benefits found arbitrary and capricious
- Missouri Court denies MetLife's motion to dismiss long-term disability claim for failure to exhaust administrative remedies
- MetLife denies physician's long-term disability claim as a result of late application filing
- Federal judge reverses MetLife's denial of long-term disability benefits to a senior project manager suffering from back pain
- MetLife's denial of disability benefits can not be challenged due to claimant's statute of limitation non-compliance
- Metlife's wrongful denial of long-term disability benefits to a Wells Fargo employee is reversed

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- Attorneys Dell & Schaefer win long term disability insurance appeal against MetLife on behalf of engineer suffering from Parkinson's
- MetLife approves long term disability benefits for senior sales manager in the medical supply industry
- Former financial trader files lawsuit against Connecticut General Life Insurance (MetLife) seeking lifetime long-term disability benefits
- MetLife releases priveleged documents prior to entry of ruling by court
- US supreme court attempts to clarify the standard of review in denial of long term disability benefits
- Court to hear case that could help workers claim benefits
- Metlife's denial of disability benefits to an event coordinator is upheld
- Federal judge reverses MetLife's denial of disability benefits

Our Recently Resolved Cases

A general surgeon and his legal team at Dell & Schaefer win disability insurance jury trial against Unum

A former podiatrist and current national judo champion and marathon runner collects long-term disability benefits

Attorneys Dell & Schaefer win long-term disability trial against Prudential Insurance Company Of America on behalf of time-share salesperson suffering from cervical disc disease

Disability Cases & News

Man with fibromyalgia faces Prudential Insurance in appeals court (Part II)

Prudential denies disability benefits to man with fibromyalgia after paying benefits for 10 years

Attorneys Dell & Schaefer file class action law suit against Prudential

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