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To: Bob Ficarola

From: MH Sussman, Esq.

Re: Grant of Motion to Late file Reply Brief

The Second Department has granted my written motion to late file the reply I prepared on behalf of Town of Montauk, Inc. We have filed the brief and served the same on all parties through counsel. I am pleased by this decision and look forward to the oral argument in this matter. I think we should meet for a few hours before that argument. Best regards for the New Year and my hopes for a new day and new way in this country.

12/24/06 Fax to 631-614-4319