



*State of New York
Court of Appeals*

*Stuart M. Cohen
Clerk of the Court*

*Clerk's Office
Albany, New York 12207*

January 15, 2009

Hon. Andrew M. Cuomo
NYS Attorney General
Attn: David Lawrence III, Esq.
120 Broadway
New York, NY 10271

Re: M/O Town of Montauk, Inc. v Hon. George E. Pataki
Motion No. 09/51.

Dear Mr. Lawrence:

Your "Affirmation in Opposition" dated January 8, 2009 has been received and is before the Court for such consideration as the Court determines to be appropriate pursuant to Court of Appeals Rule of Practice 500.7.

Very truly yours,

A handwritten signature in black ink, appearing to read "Heather A. Davis".

Heather A. Davis
Chief Motion Clerk

cc: Jason B. Kolodny, Esq.
Peter Mastaglia, Esq.
Richard Cahn, Esq.
Christine Malafi, Esq.
John Courtney, Esq.
John T. McCarron, Esq.
Jonathan Kaledin, Esq.
W.J. Fleming, Esq.