

10/13/10



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

MEMO ENDORSED

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October 8, 2010

Application granted.

By Facsimile Transmission - (914) 390-4278

Hon. Cathy Seibel
United States District Court Judge
United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

SO ORDERED
Cathy Seibel
Cathy Seibel, U.S.D.J.

Dated: 10/8/10

Re: Alan Kachalsky, et al. v. , Susan Cacace, et al.
10 CV 5413 (CS)

Dear Judge Seibel:

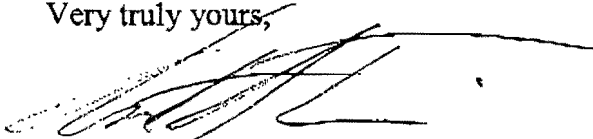
This office represents individual defendants Susan Cacace and Jeffrey A. Cohen, both of whom are New York State court judges ("the State Defendants"). This letter is submitted pursuant to your Individual Practices 1 (A) and (B) to request a revision to the briefing schedule as set by this Court in its Minute Entry of September 10, 2010. The State Defendants request until Friday, November 5, 2010 to serve their motion to dismiss¹. In addition, plaintiffs request a concomitant extension to the same date on which to be able to serve a proposed amended complaint. Plaintiffs will then have until Monday, November 15, 2010 to file their opposition to the motions to dismiss and to file their motion for summary judgment. Thereafter, the parties will abide by the briefing schedule as set forth in the September 10, 2010 Minute Entry, to wit: all defendants will serve their reply to plaintiffs' opposition to the motions to dismiss and their oppositions to the motion for summary judgment on Monday, December 13, 2010. Plaintiffs will thereafter serve their reply to the summary judgment oppositions, and all parties will file all motion papers, in a bundle, on Friday, January 7, 2010. For ease of scheduling, Defendant County of Westchester will also abide by this revised schedule.

¹ Defendant County of Westchester is separately represented and is filing its own motion to dismiss.

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This is the first request to revise the briefing schedule, and all the parties consent to this proposed revision. Thank you for your attention to this matter. All parties will receive a copy of this letter simultaneously by facsimile transmission.

Very truly yours,



Anthony J. Tomari
Assistant Attorney General

Copy:

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FACSIMILE TRANSMISSION

DATE: October 8, 2010 NUMBER OF PAGES: 3 (INCLUDING THIS PAGE)

TO: Hon. Judge Seibel FAX NO: (914) 390-4278

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FROM: Anthony Tomari, Assistant Attorney General

ATTN: proposed revised briefing schedule

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CONTACT
NAME: Anthony J. Tomari, Assistant Attorney General
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