

ADMITTED TO PRACTICE IN:  
NEW YORK; NEW JERSEY;  
UNITED STATES SUPREME COURT;  
U.S. COURTS OF APPEALS FOR THE  
SECOND AND THIRD CIRCUITS;  
U.S. DISTRICT COURTS FOR THE  
DISTRICT OF CONNECTICUT;  
DISTRICT OF NEW JERSEY;  
NORTHERN DISTRICT OF ILLINOIS;  
EASTERN, NORTHERN & SOUTHERN  
DISTRICTS OF NEW YORK; U.S.  
COURT OF INTERNATIONAL TRADE;  
U.S. COURT OF FEDERAL CLAIMS.

**JAMES M. MALONEY**  
**ATTORNEY AT LAW**  
**PROCTOR IN ADMIRALTY**



**P.O. Box 551**  
**33 BAYVIEW AVENUE**  
**PORT WASHINGTON, NY 11050**

**TEL: (516) 767-1395**  
**FAX: (516) 767-1326**

**E-MAIL ADDRESS:**  
**maritimelaw@nyu.edu**

September 20, 2010

Honorable Arthur D. Spatt  
United States District Court, E.D.N.Y.  
Central Islip, New York 11722

Re: *Maloney v. Cuomo/Maloney v. Rice*  
Docket No. CV- 03-786

Via ECF & hand delivery

Dear Judge Spatt:

I am the *pro se* Plaintiff in the above-captioned case.

Further to my letter of September 15, I write to note that all of the papers in support of my Rule 15 motion, which I hope may be brought on by Order to Show Cause, have been filed by ECF (see Documents, 102,103, and 106) and, as of last Friday, September 17, also served on opposing counsel by Priority Mail (see Documents, 107,108, and 109).

Accordingly, I enclose herewith a revised unsigned Order to Show Cause that reflects that service having been made. Also enclosed are courtesy copies of my Memorandum of Law and Proposed Second Amended Verified Complaint as filed via ECF (Documents 103 and 106, respectively). The enclosed courtesy copy of my Memorandum of Law corrects minor errors that appeared in the original printed version (listed in an errata sheet on the first page); the Proposed Second Amended Verified Complaint is a printout of Document 106, which superseded Document 105, correcting an electronic filing error as to the party filed "against" as well as errors in paragraphs 75, 76 and the Wherefore clause that had resulted from a computer error, all as detailed in the text of the docket sheet entry.

Finally, the letter to Magistrate Judge Orenstein ordered in Your Honor's Order of August 31 (Document 100) has also been filed via ECF and is being hand-delivered contemporaneously with this one.

Respectfully,

James M. Maloney

cc (via ECF only): all counsel of record