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DEC 1 2004

November 30, 2004

LO CONSTRUCTION

Hon. Michael L. Orenstein (without enclosures)

Magistrate Judge
United States District Court, E.D.N.Y
100 Federal Plaza
Central Islip, New York 11722

Re:

Maloney v. Spitzer (CV- 03-786) (ADS) (MLO)

metal L. Orende

Honorable Sir:

I am writing to request an adjournment of the status conference currently scheduled before Your Honor for December 3, 2004. A request for adjournment was previously made but was denied by Your Honor on November 1 without prejudice to renew if my dispositive motion remains pending as of this date.

As that appears to be the case, I respectfully renew my request.

Very truly yours,

James M. Maloney

cc (by fax):

Dorothy Oehler Nese, Esq.
Assistant Attorney General
State of New York
200 Old Country Road, Suite 460
Mineola, NY 11501