

by facsimile, with permission, to 631-712-5705

February 1, 2005

Hon. Michael L. Orenstein
Chief Magistrate Judge
United States District Court, E.D.N.Y.
Alfonse D'Amato Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re.: Maloney v. Spitzer (CV- 03-786)
(Spatt, J.)(Orenstein, M.)

Dear Honorable Sir:

I am counsel of record for New York State Attorney General Eliot Spitzer, named Defendant in the above-captioned case. We are awaiting a decision from Judge Spatt on a fully-briefed motion for summary judgment in the above case. There are no outstanding discovery issues to be resolved. Plaintiff and I hereby request that the conference scheduled for tomorrow be adjourned to April 11, 2005, at 9:30 a.m, following the conference currently scheduled for a related case filed by Plaintiff against Nassau County.

Thank you for your kind consideration of my request.

Very truly yours,

Dorothy Oehler Nese (DON9327)
Assistant Attorney General

cc.: James M. Maloney
Attorney at Law and Plaintiff *pro se*
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Port Washington, New York 12224-0341