



STATE OF NEW YORK
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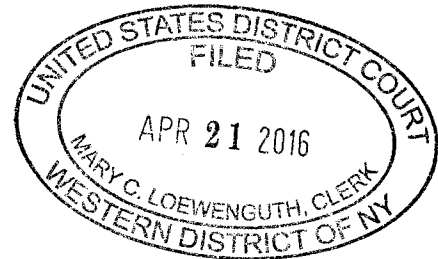
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LISA R. DELL
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April 20, 2016

Via Facsimile and U.S. Mail

The Honorable Frank P. Geraci, Jr.
Chief United States District Judge
Western District of New York
U.S. Courthouse
100 State Street
Rochester, New York 14614



RE: Libertarian Party of Erie County et al. v. Cuomo et al., 15-cv-00654 (FPG)

Your Honor:

I am an Assistant Attorney General in the Office of Eric T. Schneiderman, Attorney General of the State of New York (the "Attorney General"). This Office represents all defendants in the above-referenced action.

On Friday, April 29, 2016, defendants intend to move to dismiss the amended complaint in this action. In accordance with Local Rule 7(a)(2)(C), I write to respectfully request that the Court grant defendants permission to file a joint 45-page memorandum of law in support of that motion. Plaintiffs' counsel, James Ostrowski, has consented to this request.

The Court previously granted the Attorney General permission to file a 35-page memorandum of law in support of his motion to dismiss the original complaint. (ECF Docket No. 5.)¹ The amended complaint, *inter alia*, adds two new plaintiffs (John Murtari and William A. Cuthbert); names three licensing officers as new defendants (Judge Matthew J. Murphy of Niagara County, Judge Dennis M. Kehoe of Wayne County, and Judge M. William Boller of

¹ The Attorney General ultimately filed a memorandum of 30 pages in length. (ECF Docket No. 7.) Then, after they were subsequently served, defendants Andrew M. Cuomo, Governor of the State of New York, and Joseph A. D'Amico, Superintendent of the New York State Police, filed their own five-page memorandum of law in support of their motion to dismiss the original complaint. (ECF Docket No. 15.)

Hon. Frank P. Geraci, Jr., Chief U.S.D.J.
April 20, 2016
Page 2

Erie County); alleges a new claim pursuant to Article 78 of New York's Civil Practice Law and Rules; and now sues all defendants in both their individual and official capacities. (ECF Docket No. 17.) Defendants submit that setting forth their arguments in response to these new allegations in the amended complaint will require additional pages, and, for that reason, respectfully request permission to file a joint 45-page memorandum of law in support of their motion to dismiss.

Thank you for your time and consideration of this request.

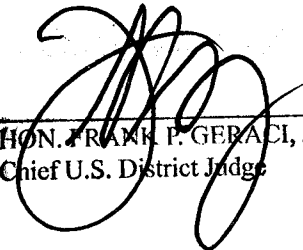
Respectfully submitted,



William J. Taylor, Jr.
Assistant Attorney General

cc: James Ostrowski, Esq., *Attorney for Plaintiffs*
(via e-mail and U.S. Mail)

SO ORDERED THIS 21st DAY OF April 2016



HON. FRANK P. GERACI, JR.
Chief U.S. District Judge