



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

February 10, 2010

Honorable Richard B. Meyer
Essex County Supreme Court
7559 Court Street
P.O. Box 217
Elizabethtown, New York 12932

Re: Lewis Family Farm, Inc., v. Adirondack Park Agency (Index No. 315-08)
Adirondack Park Agency v. Lewis Family Farm, Inc., (Index No. 332-08)

Dear Judge Meyer,

The Court's February 3, 2010 Decision and Order scheduled a hearing for February 26, 2010, for "determination of a reasonable hourly rate and the number of hours reasonably expended by counsel in the prosecution of LFF's action against the APA." In a letter dated February 5, 2010, counsel for Lewis Family Farm requested an adjournment of the hearing to March 29, 2010. The State respectfully suggests that the matter could be resolved on submission, saving all parties and the Court the additional time and expense of a hearing.

In the event a hearing is held on March 29, 2010, or another date, the State respectfully requests that the Court clarify for the parties the scope of the hearing and the specific remaining factual issues which will be the subject of the hearing. Additionally, we request that Petitioner's counsel provide a list of all witnesses, the matters to which they will testify, and further evidence to be presented, prior to any hearing.

Sincerely,

A handwritten signature in cursive script, appearing to read "Loretta Simon".

Loretta Simon
Assistant Attorney General
(518) 402-2724

cc John J. Privitera, Esq.
Jacob F. Lamme, Esq.
John Banta, Esq.