



U.S. Department of Justice
United States Attorney
Eastern District of New York

271 Cadman Plaza East

Brooklyn, New York 11201-1820

March 4, 2008

BY ELECTRONIC COURT FILING
AND HAND DELIVERY OF COURTESY COPY

Honorable Carol B. Amon
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Kamburowski v. Kidd, No. 05-CV-0953 (CBA/RLM)

Dear Judge Amon:

Enclosed please find courtesy hard-copies of the following motion papers, all of which have been electronically filed in the above-referenced civil action:

- 1) Amended Notice of Defendants' Motion to Dismiss the Amended Complaint, or, in the Alternative, for Summary Judgment (docket no. 43);
- 2) Memorandum of Law in Support of said motion (docket no. 44);
- 3) Rule 56.1 Statement of Material Facts as to Which No Genuine Issue Remains to Be Tried, to which is annexed (a) Declaration of Michael S. Kidd, (b) Declaration of F. Franklin Amanat, and (c) Exhibits 1 through 5 in support of the motion (docket no. 45);
- 4) Plaintiff's Memorandum of Law in Opposition to Government's Motion to Dismiss (docket no. 42);
- 5) Reply Memorandum of Law in Support of Defendants' Motion, to which is annexed Exhibit 6 in support of the motion (docket no. 46).

The parties have exchanged service copies of the above motion papers in accordance with the amended briefing schedule set by the Court, and now that briefing has been

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completed we have electronically filed all the papers and respectfully tender a courtesy copy of the briefing bundle.

The Court has set oral argument on defendants' motion for Tuesday, March 18, 2008, at 11:30 a.m. We stand ready to appear before the Court at that time to be heard on our motion to dismiss the amended complaint, or, in the alternative, for summary judgment, and we respectfully ask that our motion be granted.

We appreciate your Honor's time and attention to this matter.

Respectfully submitted,

BENTON J. CAMPBELL
United States Attorney
Eastern District of New York

By: /s/ {FILED ELECTRONICALLY}
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Encls.: As listed above

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