

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK  
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MICHAEL CUNNINGHAM,

Plaintiff,

vs

1:05-CV-1127

NEW YORK STATE DEPARTMENT OF LABOR;  
LINDA ANGELLO, MARY HINES, and PATRICIA  
RHODES-HOOVER, Each Individually, and in  
their Official Capacity for the New York State  
Department of Labor,

Defendants.

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APPEARANCES:

OF COUNSEL:

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DAVID N. HURD  
United States District Judge

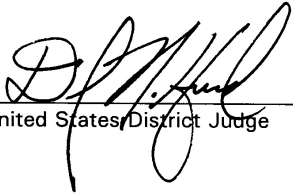
**AMENDED ORDER**

1. The judgment filed on January 29, 2008, (Docket No. 45), is VACATED as to the Title VII and First Amendment retaliation claims;
2. Defendants may file and serve an answering memorandum of law on the First Amendment retaliation claim (See footnote 3) on or before September 18, 2009; and

3. No further filings are permitted.

IT IS SO ORDERED.

Dated: September 2, 2009  
Utica, New York.



United States District Judge