



**STATE OF NEW YORK
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Writer Direct: (518) 473-3684
May 29, 2007

Honorable Frederick J. Scullin
United States District Judge
United States District Court
Northern District of New York
Syracuse, NY 13261-7255

Re: *Alexander v. Cahill et al*
07-CV-117 (FJS)(GHL)

Dear Judge Scullin:

Due to the departure of AAG Nelson Sheingold, the above-referenced action was re-assigned to me. Based upon conflicting entries in the docket, I mistakenly thought that a response to plaintiffs' motion for summary judgment was due on June 6, 2007, based upon Docket No. 19. When I received plaintiffs' response to defendants' motion for summary judgment on Friday, May 25, 2007, I discovered the Magistrate Judge had set the briefing schedule on April 19, 2007, which set a response deadline of May 25, 2007. I have conferred with opposing counsel and respectfully request that the Court accept defendants' motion for summary judgment as defendants' opposition to plaintiffs' motion for summary judgment. Defendants will submit a reply on June 1, 2007, to plaintiffs' opposition to defendants' motion for summary judgment. Counsel for plaintiffs consents to this request, but reserves the right to submit a reply by June 9, 2007, in the event defendants' reply raises new issues not previously addressed. I apologize for any inconvenience to the Court and plaintiffs.

Thank you for your consideration of this matter.

Respectfully yours,

s/ Bridget E. Holohan

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cc: Gregory Beck, Esq.
Via ECF