

# EXHIBIT “C”

- Gregg T. Johnson, Esq., Partner

**LEMIRE JOHNSON, LLC**  
ATTORNEYS AT LAW

2534 Rte. 9, PO Box 2485  
Malta, NY 12020  
(p) 518.899.5700  
(f) 518.899.5487  
[gtj@lemirejohnsonlaw.com](mailto:gtj@lemirejohnsonlaw.com)

Visit us at: [www.lemirejohnsonlaw.com](http://www.lemirejohnsonlaw.com)

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**From:** Hirschhorn, Russell L. [mailto:RHirschhorn@proskauer.com]  
**Sent:** Wednesday, January 18, 2012 3:15 PM  
**To:** Gregg Johnson  
**Cc:** Timothy Higgins; Ewa Krawiec; Daniel P. Goldberger; GERSTEIN JASON; MERVIS MICHAEL; Lori Windham  
**Subject:** Re: Yoder v. Town of Morristown

Mr. Johnson,

As you know, we are in depositions all day today and tomorrow. We are traveling back to NYC Friday. We will respond to your letter early next week.

Russell L. Hirschhorn  
Senior Counsel

Proskauer  
Eleven Times Square  
New York, NY 10036-8299  
d 212.969.3286  
m 516.509.9327  
f 212.969.2900  
[rhirschhorn@proskauer.com](mailto:rhirschhorn@proskauer.com)

On Jan 18, 2012, at 3:11 PM, "Gregg Johnson" <[gtj@lemirejohnsonlaw.com](mailto:gtj@lemirejohnsonlaw.com)> wrote:

Mr. Hirschhorn,

Attached is correspondence from Gregg Johnson.

Regards,

Ewa  
On behalf of Gregg T. Johnson, Esq.

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Ewa

On behalf of Gregg T. Johnson, Esq.

\*\*\*\*\*

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**From:** Hirschhorn, Russell L. [mailto:RHirschhorn@proskauer.com]  
**Sent:** Monday, January 23, 2012 10:40 AM  
**To:** Gregg Johnson  
**Cc:** Timothy Higgins; Ewa Krawiec; Gerstein, Jason D.; Goldberger, Daniel P.; Mervis, Michael T.; Lori Windham; Rattner, Benjamin M.  
**Subject:** RE: Yoder v. Town of Morristown

Dear Mr. Johnson:

We are in receipt of your January 18, 2012 letter and respond as follows: First, we do not intend to amend the Complaint to add a "substitute" Plaintiff as referenced in your letter. (Although we take issue with your characterization that discovery has resumed "effective today", it merits no response.) Second, in response to your inquiry, we do not consent to Defendants amending their answer at this late stage. The deadline to amend the pleadings was February 5, 2010, nearly *two years ago*. Lastly, as I stated in my email to you dated January 18, 2012, you were well aware of the fact that the parties were in depositions all day January 18 and 19, and your request that we respond to your letter in less than twenty-four hours was, to say the least, discourteous.

**Russell L. Hirschhorn**  
Senior Counsel

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Eleven Times Square  
New York, NY 10036-8299  
d 212.969.3286  
m 516.509.9327  
f 212.969.2900  
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Please consider the environment before printing this email.

- Gregg T. Johnson, Esq., Partner

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