



Proskauer Rose LLP Eleven Times Square New York, NY 10036-8299

August 24, 2012

By Electronic Case Filing

The Honorable Therese Wiley Dancks
U.S. District Court, N.D.N.Y.
100 S. Clinton Street
P.O. Box 7367
Syracuse, NY 13261-7367

Russell L. Hirschhorn
Senior Counsel
d 212 969 3286
f 212.969 2900
rhirschhorn@proskauer.com
www.proskauer.com

Re: Yoder, et al. v. Town of Morristown, et al., Case No. 09-cv-00007 (NPM/TWD)

Dear Judge Dancks:

We are counsel for Plaintiffs in the above-referenced matter. Together, with counsel for Defendants, we are pleased to report that Plaintiffs have signed the settlement agreement and that the agreement is currently out for signature by Defendants. Once that it is completed, the parties expect that all of the state court actions commenced by the Town for building code violations will be dismissed with prejudice and that this federal action will then too be dismissed.

The parties are available to answer any questions the Court may have for us.

Respectfully,

Russell L. Hirschhorn

cc The Honorable Neal P. McCurn (By ECF)
The Honorable George Lowe (Ret.) (By email)
Timothy J. Higgins, Esq. (By ECF and email)
Gregg T. Johnson, Esq.
Michael T. Mervis, Esq.
Daniel P. Goldberger, Esq.
Benjamin M. Rattner, Esq.
Lori H. Windham, Esq.