## LEMIRE JOHNSON, LLC

## Attorneys at Law

2534 Route 9, P.O. Box 2485, Malta, NY 12020 518.899.5700 ~ 518.793.9005 Fax 518.899.5487

August 6, 2009

## Via ECF

Honorable George H. Lowe United States Magistrate Judge United States District Court Northern District of New York Syracuse, New York 13261

Re: Yoder, et al. v. Town of Morristown,

Civil Case No.: 09-cv-0007 (TJM/GHL)

Your Honor:

Pursuant to the recent telephone conference held before the Court, this correspondence will confirm that the parties have agreed on and secured Attorney David Wukitsch to act as the Early Neutral Evaluator in the above matter. Such evaluation session is scheduled for Thursday, August 20, 2009 at 10:00 a.m. at Mr. Wukitsch's office in Albany, New York. An appropriate ADR Stipulation has been prepared and circulated and will be filed with the Court.

Should anything further be required prior to the evaluation session, please do not hesitate to contact our office. Thank you.

Respectfully submitted,

LEMIRE JOHNSON, LLC

Jačinda H. Conboy

jhc@lemirejohnsonlaw.com

JHC:dl

cc: Michael Mervis, Esq.

Jason Gerstein, Esq.

Lori Windham, Esq.