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October 1, 2009

**VIA FAX AND REGULAR MAIL**

Hon. David S. Ritter, J.S.C.  
Supreme Court Chambers  
Orange County Government Center  
255-285 Main Street  
Goshen, New York 1924

RECEIVED  
SEP 06 2009  
ORANGE COUNTY  
SUPREME COURT

Re: Lopez v. Newburgh Community Development Agency  
Orange County Index No. 3984/09  
Our File No. 00951-57,528

Dear Judge Ritter:

Please accept this letter as confirmation that our office, as attorneys for defendants in the above-referenced action, is formally withdrawing its motion to dismiss without prejudice. As such, please return the original papers to our office using the self-addressed, stamped envelope enclosed herein.

Please accept my apologies for any inconvenience this may have caused you.

Very truly yours,

  
MICHAEL E. CATANIA

MEC/pap  
Enclosure

cc: Bonacic, Krahulik, Cuddeback, (via fax and regular mail)  
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