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July 29, 2009

Supreme Court Clerk
Orange County Government Center
255-275 Main Street
Goshen, New York 10924

Re: Newburgh Community Development Agency Adv Lopez, Elaine & Hector
Our File No. 00951-57528
Index No. 3948/09

Dear Sir/Madam:

Enclosed herewith please find original *Notice of Motion and Attorney's Affirmation, and Affidavit of Lorene Vitek*, and three copies of the request for judicial intervention for an order pursuant to CPLR §3211, dismissing plaintiff's complaint against it based upon the documentary evidence presented herein, which is returnable on August 25, 2009 at 9:30 A.M. and which I would kindly ask you to submit to the appropriate justice on our behalf. Please advise our office of the name of the judge who has been assigned this matter.

I also enclose a stamped, self-addressed envelope for the return of the decision in this matter as well as a postcard for the County Clerk to stamp the date of entry of the order and return to me. Please also find enclosed our attorney's check in the amount of \$140.00 for the application for the request for judicial intervention (\$95.00) and filing of the motion (\$45.00).

Respectfully submitted,


MICHAEL E. CATANIA

MEC/loc

Enclosures

cc: Bonacic, Krahulik, Cuddeback, McMahan & Brady, LLP