



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

Writer Direct: (518) 402-2270
April 7, 2010

Sherrie Seeley
Special Term Clerk
Office of the Clerk, New York State Supreme Court
Albany County Courthouse
16 Eagle Street, room 102
Albany, New York 12207

Re: *New York State Economic Development Council v. State of New York, et al*
New York State Supreme Court
Albany County Special Term
Index #1937-2010

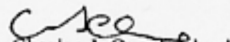
Dear Ms. Seeley:

I represent the New York State Respondents/Defendants in the matter captioned above. I have consulted with Dennis Lynch, Esq. of Feerick Lynch MacCartney, PLLC, counsel for the Petitioners/Plaintiffs, regarding scheduling. Please let us advise that the parties are engaged in efforts to resolve this matter without further Court intervention. If it is agreeable to the Court we respectfully request that this matter be made returnable **Friday, June 11, 2010**. If the parties find that we cannot resolve this matter, the Respondents/Defendants will serve and file submissions on or by May 26, 2010.

During the pendency of litigation the State will voluntarily suspend collection activities and enforcement of Public Authorities Law §2975-a against Industrial Development Agencies (IDAs) which have not yet remitted payment of moneys at issue in this litigation. The parties also understand that individual IDAs, whether they have currently remitted payment or not, shall be treated equally at the conclusion of litigation.

Thank you for your attention to this matter.

Respectfully,


Charles J. Quackenbush
Assistant Attorney General
charles.quackenbush@ag.ny.gov

cc: Dennis E.A. Lynch, Esq
Feerick Lynch MacCartney, PLLC
Attorneys for Petitioners/Plaintiffs
96 South Broadway
P.O. Box 612
South Nyack, NY 10960