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April 14, 2008

**VIA FEDERAL EXPRESS:**  
(and Cover Letter via telefax)

Hon. Richard B. Meyer  
Essex County Courthouse  
7559 Court Street  
Elizabethtown, New York 12932

**Re: Lewis Family Farm, Inc. v. Adirondack Park Agency  
Index No. 315-08  
AND  
Adirondack Park Agency v. Lewis Family Farm, Inc., Salim B. Lewis and  
Barbara Lewis  
Index No. 332-08 (New Action)**

Dear Justice Meyer:

Petitioner's counsel has just been informed that the Respondent, Adirondack Park Agency, commenced a new action identical to No. 315-08 except for the caption on Friday morning, before the argument on the motion for a stay, against Petitioner; Barbara Lewis, personally; and Sandy Lewis personally. The action was filed by Ms. Simon, who was before you on Friday.

This Complaint is unprecedented, as best I can tell, and unnecessary because the Agency's determination was only a few days old at the time of filing and the new action does not seek any relief other than that which would be achieved if a final decision in the Article 78 determined the Agency action to be valid. In order to keep the Court informed and to conserve judicial resources, we move today in both the captioned cases for an Order of Consolidation and for a Stay of the collateral case, an unnecessary enforcement proceeding against the Lewises.

Hon. Richard B. Meyer  
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August 31, 2008

We also respectfully ask this Court, in a motion filed today, to extend your Order of Stay of Friday to cover the penalty payment and to allow the use of the farm houses *pendente lite*, as explained more fully in the motion papers.

For the Court's convenience, we enclose copies of both motions and an additional copy of Petitioner's original papers

Respectfully yours,

*/s/ John J. Privitera*

John J. Privitera

JJP/klh

Enclosures

cc: Loretta Simon, Esq. (via telefax and Hand Delivery)