



STATE OF NEW YORK  
COUNTY OF ESSEX  
COUNTY, FAMILY & SURROGATE'S COURTS

RICHARD B. MEYER  
JUDGE

AMY N. QUINN  
COURT ATTORNEY  
JILL H. DRUMMOND  
SECRETARY

October 26, 2009

VIA FAX ONLY

McNamee, Lochner, Titus & Williams, P.C.  
Attn: John J. Privitera, Esq.  
677 Broadway  
Albany, New York 12207

New York State Attorney General  
Attn: Loretta Simon, Esq.  
Assistant Attorney General  
The Capitol  
Albany, New York 12224-0341

Re: *Lewis Family Farm, Inc. v. Adirondack Park Agency*  
Index No.: 315-08

*Adirondack Park Agency -v- Lewis Family Farm, Inc.,  
Salim B. Lewis and Barbara Lewis*  
Index No.: 332-08

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Counselors:

The attached is a list of the papers I have received in connection with the pending application for counsel fees. If anything is missing from this list, please advise my office immediately and forward the same to the Clerk.

Very truly yours,

Richard B. Meyer

RBM:jhd

cc: Essex County Clerk

*10-26-09 letter to counsel  
Motion papers list  
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1. Motion by LFF for counsel fees:
  - a) Notice of motion dated August 13, 2009
  - b) Affirmation of Privitera dated August 12, 2009
  - c) Affidavit of SB Lewis sworn to August 13, 2009
  - d) Exhibit A - copy of memorandum and order of Appellate Division dated July 16, 2009
  - e) Exhibit B - itemized bill of LFF counsel from 3/26/08 to 8/10/09
  - f) Memorandum of Law dated August 13, 2009
2. Answering papers of APA
  - a) Affirmation of Simon dated August 28, 2009
  - b) Exhibit A - copy of 6/10/08 order consolidating actions
  - c) Exhibit B - Appellate Division order of 1/15/09 extending time to perfect appeal
  - d) Exhibit C - 12/4/07 letter from APA to Patrick Hooker
  - e) Exhibit D - Rusnica affirmation dated 6/13/08
  - f) Exhibit E - highlighted portion of LFF counsel's bill relative to fees ineligible for reimbursement
  - g) Exhibit F - copy of 4/8/08 order to show cause
  - h) Exhibit G - highlighted portion of Privitera bill containing fees and expenses disputed by APA
  - i) Exhibit H - copy of portion of 2004 desktop reference on economics of law practice
  - j) Affidavit of Cecil Wray sworn to August 24, 2009
  - k) Exhibit A - copy of APA Enforcement Committee Determination dated 03/25/08
  - l) Decision and order of Hon. Kevin K. Ryan dated 08/16/07 with notice of entry
  - m) Memorandum of Law dated August 28, 2009
3. Reply papers by LFF
  - a) Affirmation of Privitera dated September 23, 2009
  - b) Exhibit A - motion by AG for stay or injunction pending appeals
  - c) Exhibit B - APA brief on appeal
  - d) Exhibit C - APA minutes of 9/10/09
  - e) Exhibit D - Post Star news article entitled "Knocking down the APA"
  - f) Exhibit E - Post Star article entitled "APA should be accountable"
  - g) Exhibit F - 9/14/09 letter from Joseph H. Smolinsky, Esq. re monthly fee
  - h) Exhibit G - petition to correct errors in related documents re Walkers

*10-26-09 letter to counsel*  
*Motion papers list*  
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Corners

- i) Memorandum of Law dated September 22, 2009
4. *Amicus curaie* brief of New York Farm Bureau dated 10/05/09.
5. Cross Motion by APA to strike
- a) Notice of cross motion dated October 9, 2009
  - b) Affirmation of Simon dated October 9, 2009
  - c) Exhibit A - enforcement committee determination dated 3/25/08
  - d) Exhibit B - Reuters article re lawyer billing
  - e) Exhibit C - 12/23/08 letter and decision from Justice McGill in Town of Black Brook v. NYS case and 04/21/08 letter and decision
  - f) Exhibit D - copy of Press Republican article entitled "Tyrade against APA"
  - g) Exhibit E - copy of webpage on SB Lewis website
  - h) Exhibit F - copy of webpage from SB Lewis website
  - i) Exhibit G - 8/11/09 letter from Comptroller to Governor Patterson re equal access to justice act with summary of awards
6. Plaintiff's reply to cross motion
- a) affidavit of SB Lewis sworn to October 21, 2009
  - b) LFF memorandum of law in opposition to cross motion to strike dated October 22, 2009
  - c) copy of record on appeal - Volume III