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August 31, 2011

VIA OVERNIGHT DELIVERY

The Honorable Debra A. James
New York State Supreme Court Justice
New York State Supreme Court
71 Thomas Street
Part 59
New York, New York 10013

Re: *Lucker v. Congregation Shaare Zedek et al.*, Index No. 114818/2009-E;
Leventhal v. Bayside Cemetery et al., Index No. 100530/2011.

Dear Justice James:

I represent Plaintiffs in the above-referenced actions.

Defendants have moved to dismiss the actions.

On July 5, 2011, I received a voicemail message from Chambers that the July 7, 2011 argument on the *Leventhal* motions to dismiss would be adjourned until September 20, 2011.

On July 6, 2011, a conference call was held between the parties and Your Honor. During the call, Your Honor indicated that argument on the *Leventhal* action was not necessary and that the Court intended to issue a ruling on the motions to dismiss in both actions on or before September 20, 2011.

Your Honor recommended that a party send the Court a letter in early September to determine whether the Court intends to issue a September ruling as indicated.

The parties write in accordance with Your Honor's suggestion and await an Order from the Court concerning the actions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael M. Buchman", with a long horizontal flourish extending to the right.

Michael M. Buchman

c: Russell Steintal (counsel for Congregation Shaare Zedek)
Ari Selman (counsel for CAJAC)