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February 20, 2015

VIA FACSIMILE (518-285-6192)

Hon. Roger D. McDonough  
Acting Supreme Court Justice  
Albany County Courthouse  
16 Eagle Street, Room 219  
Albany, New York 12207

Re: *Center for Judicial Accountability, Inc. et al v. Cuomo, et al*  
Supreme Court, Albany County  
Index No. 1788-14 RJI No. 01-14-113240

Dear Judge McDonough:

I submit this letter in response to the court's February 18, 2015 correspondence in connection with the above-referenced matter. By letter dated February 4, 2014, the plaintiffs requested a conference with the court after speaking with me about defendants' objections to a number of plaintiffs' discovery demands. I informed the plaintiffs that I intended to raise the same objections to any questions asked at depositions, and I did not object to plaintiffs' suggestion that a conference be held with the court to address this issue.

It is the defendants' position that the only issue that remains to be litigated in this case is whether the requirements of Legislative Law 32-a were satisfied in connection with the 2013-14 budget. Notwithstanding, a majority of plaintiffs' discovery demands are unrelated to that single cause of action. Further, most of plaintiffs' discovery demands seek information protected by the Speech or Debate Clause of the New York State Constitution. If the court would prefer to address this discovery dispute by way of a formal motion instead of at a conference, please so advise.

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Respectfully yours,

Adrienne J. Kerwin  
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