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February 15, 2010

VIA ELECTRONIC MAIL

Michael M. Buchman, Esq.
Pomerantz Haudek Block Grossman & Gross LLP
100 Park Avenue
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New York, NY 10017

Re: Lucker et al. v. Bayside Cemetery et al., Index No. 114818/2009E

Dear Michael:

We represent Congregation Shaare Zedek and Bayside Cemetery in the above-referenced action.

This is to acknowledge that we are in receipt of Plaintiffs' Request for Production of Documents in the above-referenced action, dated February 1, 2010 (the "Request"). Pursuant to CPLR 3214(b), however, disclosure was automatically stayed upon the filing of Defendants' motions to dismiss pursuant to CPLR 3211. The Request served by Plaintiffs is therefore improper.

If and when the stay of disclosure terminates or is lifted, we will respond or object, as appropriate, to the Request. Until that time, Congregation Shaare Zedek and Bayside Cemetery expressly reserve any and all objections to the Request.

Sincerely,

/s/ Russell M. Steintal

cc: Douglas Smith, Esq.