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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)