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October 20, 2008

VIA ELECTRONIC CASE FILING

The Honorable Raymond J. Dearie  
Chief United States District Judge  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

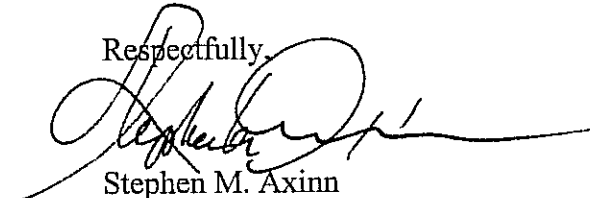
Re: Lucker et al. v. Bayside Cemetery & Congregation Shaare Zedek, No. 07 Civ.  
3823; Cohen v. Bayside Cemetery & Congregation Shaare Zedek, No. 08 Civ.  
3555; Goldstein v. Bayside Cemetery & Congregation Shaare Zedek, No. 08 Civ.  
3923 (RJD) (JMA)

Dear Chief Judge Dearie:

We are counsel to Defendants in the above-referenced action and write to advise the Court that while we intend to respond to the legal arguments contained in Plaintiffs' letter to the court of October 16, 2008, we will be unable to do so before Thursday, in light of the Jewish holidays of Shemini Atzeret and Simchat Torah, which begin at sundown tonight and continue until Wednesday evening.

We appreciate the Court's patience in this matter.

Respectfully,



Stephen M. Axinn

cc: All Counsel (by ECF)