



# WINDSWEPT

July 2, 2008

Ellen R. Zimmerman, Esq.  
General Counsel & Chief Compliance Officer  
UJA Federation of New York  
130 East 59<sup>th</sup> Street  
New York, NY 10022

Re: Lucker v. Congregation Shaare Zedek/Bayside Cemetery

Dear Ms. Zimmerman:

I represent Plaintiffs John Lucker, Elizabeth Lucker and Nancy Rousseau in the above-referenced action. We understand that UJA Federation of New York ("UJA") is willing to assist with the clean-up and restoration of Bayside Cemetery and would like some assurance from my clients that it will not unnecessarily become involved in this litigation.

Based upon the information available to us at this time, this will serve to confirm that Plaintiffs John Lucker, Elizabeth Lucker and Nancy Rousseau will not sue or implead UJA in the above-referenced action. As you know, last year we duly served a subpoena upon UJA for documents and adjourned the production *sine die*. Please be advised that we intend to pursue this discovery from UJA, but will only seek those documents which are exclusively in UJA's care, custody, possession or control.

I am specifically authorized by my clients to make the above representations to UJA. If you would like to discuss this matter, please feel free to give me a ring at (212) 661-1100.

Yours sincerely,

Michael M. Buchman

c: John Lucker  
Elizabeth Lucker  
Nancy Rousseau  
Stephen Axinn, Esq.

