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July 15, 2021

VIA ECF
Hon. Sherri L. Eisenpress
Supreme Court of New York
County of Rockland
1 S. Main Street
New City, New York 10956

Re: Mancuso, et al. v. Adirondack Mountain Club, Inc., Index No. 033635/2021

Dear Judge Eisenpress:

We are counsel to the Petitioners/Plaintiffs in the above referenced matter. We write in response to the filing of opposition papers (ECF Docs. 21-29) today, July 15, 2021, by the Respondent/Defendant and its apparent expectation that the Court will further consider the order to show cause tomorrow, July 16, 2021, during the scheduled settlement conference.

Notwithstanding Respondent/Defendant's filing, we respectfully request that the Court take no further action on the order to show cause pending (1) the setting of a briefing schedule for our reply papers (OSC, ECF Doc. 18, p.2, "Briefing schedule will be given on return date.") and the filing of such reply papers, and (2) a further return date for oral argument other than tomorrow, July 16, 2021.

This request is consistent with the express discussion during the parties' July 7 appearance. At the July 7 appearance, the Court did not yet set a briefing schedule or further return date in deference to tomorrow's (July 16, 2021) settlement conference. The Court's own electronic calendaring notation is that the July 16 conference is for settlement. Depending on the outcome of the July 16 settlement conference, the Court planned to later set a briefing schedule and further return date on our order to show cause.

Of course, Respondent/Defendant was free to file its opposition papers even in advance of a briefing schedule or further return date.

However, as per the order to show cause, we ask that the Court take no further action on the order to show cause pending a briefing schedule for our reply papers (OSC, ECF Doc. 18, p.2, "Briefing schedule will be given on return date.") and the filing of such reply papers and, a further return date for oral argument other than tomorrow, July 16, 2021.

Respectfully submitted,

/s/

Judith Bachman