

AFFIDAVIT OF SERVICE BY MAIL

SEP 21 2009

State of New York :  
County of SCHOHARIE :  
SS:

LAWRENCE K. BAERMAN, CLERK  
ALBANY  
1:09-CV-825 GLS/DRH

I, ALFRED G. OSTERWEIL, being duly sworn, deposes and says: that I am the plaintiff herein and served a copy of the following document(s):

MEMORANDUM AND APPENDIX (Specify document(s))  
on ROGER W KINSEY (Name of person/Addressee)  
at: OFFICE OF ATTORNEY GENERAL (Address to which document(s)  
THE CAPITOL, ALBANY NY 12224 were sent)

by mailing and depositing a true and correct copy of said document(s) in a mailbox located

at: SUMMIT NY 12175

on the following date: SEPTEMBER 16, 2009

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 9/17/09

[Signature]  
Signature of Plaintiff

Sworn to before me this 17<sup>th</sup> day of September, 2009.

[Signature]  
Notary Public

JOHN C. MEANEY  
Notary Public, State of New York  
No. 02ME6043607  
Qualified in Schoharie County  
Commission Expires June 19, 2010

U.S. DISTRICT COURT  
ALBANY  
NEW YORK  
SEP 18 2009  
JAMES T. FOLEY, CLERK  
ALBANY

ALFRED G. OSTERWEIL  
310 ROSSMAN FLY ROAD  
P.O. BOX 173  
SUMMIT, NEW YORK 12175

SEPTEMBER 18, 2009

Clerk's Office, USDC  
James T. Foley, U. S. Courthouse  
445 Broadway, Room 509  
Albany, New York 12207

Re: Osterweil v. Bartlett, et al  
Civil Action No. 1: 09-CV-825 (GLS/DRH)

Dear sir:

Enclosed for filing, please find proof of service of Plaintiff's Memorandum and Appendix in the above captioned matter.

Very truly yours,

  
Alfred G. Osterweil