



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN  
Attorney General

STATE COUNSEL DIVISION  
Litigation Bureau

Writer Direct: (518) 473-6522  
February 25, 2011

Hon. David R. Homer  
United States Magistrate Judge  
United States District Court  
Northern District of New York  
James T. Foley U.S. Courthouse  
445 Broadway, Room 441  
Albany, NY 12207

Re: *Osterweil, v. Bartlett III, et al.* 09-CV-0825 (GLS)(DRH)

Dear Judge Homer:

On February 9, 2011, the Court granted our request that the dispositive motion deadline be extended to April 5, 2011, in light of AAG Kinsey's medical issues. On February 17, 2011, plaintiff filed a motion for summary judgment, without a stated return date. **Plaintiff has agreed, however, to my request that the time to oppose the motion be extended to April 5, 2011, as well.**

In sum, we ask that defendant's time to respond to plaintiff's motion for summary judgment set forth at Dkt # 30 be extended to April 5, 2011.

Thank you for your consideration in this matter.

Respectfully submitted,

*James B. McGowan*

James B. McGowan  
Assistant Attorney General  
Bar Roll No. 507606  
James.McGowan@ag.ny.gov

cc: Alfred G. Osterweil  
197 Lawson Lane  
Many, LA 71449