

LAW OFFICES

G-13

HALL, DICKLER, LAWLER, KENT & FRIEDMAN

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

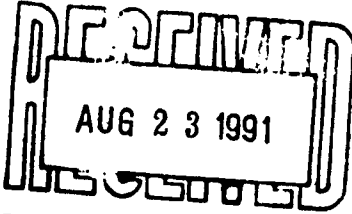
THE WESTCHESTER FINANCIAL CENTER

11 MARTINE AVENUE

WHITE PLAINS, NEW YORK 10606-1908

TELEPHONE: 914-428-3232

TELEFAX: 914-428-1660



August 20, 1991

Clerk of the Court of Appeals  
20 Eagle Street  
Albany, New York 12207-1095

Re: In the Matter of the Application of Castracan  
v. Colavita, et. al. (Albany County) Index No.  
6056/90 (3rd Dept. Appeal No. 62134)

Dear Sir:

We represent Hon. Albert J. Emanuelli. We respectfully join in and adopt the motion, arguments and supporting papers of Co-Respondent, Board of Elections, for an order dismissing the Notice of Appeal filed by Petitioners-Appellants.

Additionally, Judge Emanuelli seeks sanctions and costs against Petitioner-Appellants, Eli Vigliano, Esq. and Doris Sassower. Their grounds for appeal are patently frivolous.

Because this matter has already consumed too much of the judiciary's time and resources and strained the financial capabilities of the Respondents, I ask that you accept this letter rather than a formal motion.

Thank you for your kind cooperation and assistance.

Very truly yours,

*Mark Malone*

Mark K. Malone

MKM:emd

- cc: John Ciampoli, Esq.
- Marilyn J. Slaatten, Esq.
- Scolari, Brevetti, Goldsmith & Weiss, P.C.
- Aldo V. Vitagliano, P.c.
- Hashmall, Sheer, Bank & Geist
- Sanford S. Dranoff, Esq.
- Hon. Robert Abrams
- Eli Vigliano, Esq.
- Thomas J. Abinanti, Esq.

NEW YORK OFFICE  
460 PARK AVENUE  
NEW YORK, N.Y. 10022-1906  
TELEPHONE: 212-838-4600  
TELEFAX: 212-935-3121

LOS ANGELES OFFICE  
2029 CENTURY PARK EAST  
LOS ANGELES, CA 90067  
TELEPHONE: 213-203-8410  
TELEFAX: 213-203-8559

ALBANY OFFICE  
450 NEW KARNER ROAD  
ALBANY, N.Y. 12205-3822  
TELEPHONE: 518-869-6227  
TELEFAX: 518-869-0572