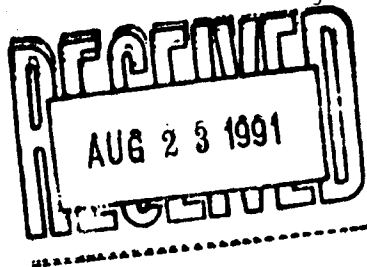


THOMAS J. ABINANTI

*Attorney at Law*

F-6



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August 15, 1991

Michael J. Novack, Esq.  
Clerk of the Court  
Appellate Division  
Third Department  
Justice Building  
Albany, New York

Re: In the Matter of the Application of Castracan v.  
Colavita, et. al. (Albany County) Index No. 6056/90  
(3rd Dep't Appeal No. 62134)

Index No. 6056/90

Dear Mr. Novack:

I represent Respondent Hon. Francis A. Nicolai. I join with Co-Respondent New York State Board of Elections and other Co-Respondents in opposing the motion of Petitioner-Appellants in all respects.

I respectfully join in and adopt the arguments which they set forth in their Affirmations in Opposition to Petitioner-Appellants' Motion and in support of the cross-motion of Respondent Board of Elections.

In particular, I join in their cross-motions for sanctions, costs and attorneys fees. I request that this court award attorneys fees to respondent Hon. Francis A. Nicolai in the amount of \$1,500.

Michael J. Novack, Esq.  
Clerk of the Court

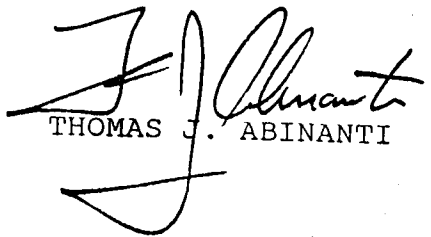
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August 15, 1991

As the record is already overburdened, I request that you accept this letter in lieu of more formal papers.

Thank you for your assistance in this matter.

Very truly yours,



THOMAS J. ABINANTI

TJA:km

cc: John Ciampoli, Esq.  
Marilyn J. Slaatten, Esq.  
Scolari, Brevetti, Goldsmith & Weiss, P.C.  
Hall, Dickler, Lawler, Kent & Friedman  
Aldo V. Vitagliano, P.C.  
Hashmall, Sheer, Bank & Geist  
Sanford S. Dranoff, Esq.  
Hon. Robert Abrams  
Eli Vigliano, Esq.