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May 15, 2024

Judge Maria S. Vazquez-Doles
New York Supreme Court, Orange County
285 Main Street
Goshen, New York 10924

Re: *Oral Clarke, et al. v. Town of Newburgh et al.* (Index No. EF002460-2024; Orange Cnty.)

Dear Judge Vazquez-Doles,

We represent Defendants Town of Newburgh and Town Board of the Town of Newburgh (collectively, "Defendants"). We write in accordance with the Court's directive, stated on the record on May 9, 2024, that Defendants advise whether they rest on their prior briefing in support of their Motion to Dismiss (Mot. Seq. 1), following the Court's granting of leave to the New York Attorney General to file an amicus brief in opposition to the motion.

Upon careful review, Defendants have determined there are no arguments in the amicus brief that Defendants were unable to address in their reply brief. Defendants therefore rest on their prior briefing.

On behalf of Defendants, we thank the Court for the opportunity to address this issue.

Respectfully submitted,

/s/ Bennet J. Moskowitz

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