

**MARCUS ROSENBERG & DIAMOND LLP**

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Writer's Direct Number

July 23, 2004

Antonia Bryson, Esq.  
Urban Environmental Law Center  
Development Corporation  
475 Park Avenue South, 16th Floor  
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(212) 483-9121 or 213-5004

Bruce Simon, Esq.  
Cohen Weiss & Simon LLP  
330 West 42nd Street  
New York, New York 10036

(212) 695-5436

Kate Wood, Executive Director  
Landmark West!  
45 West 67th Street  
New York, New York 10023

(212) 875-0209

Re: 2 Columbus Circle  
Block 1030, Lot 1

Dear Antonia, Bruce and Kate:

As anticipated, MAD has made a cross-motion to dismiss our appeal pursuant to the Appellate Division rules which require the filing of the record within thirty days and the filing of the brief twenty days thereafter, provisions inconsistent with the general 9-month limit for perfecting appeals.

In making the motion, Stroock brought out the big guns, *i.e.*, Charles G. ("Chuck") Moerdler. Chuck is the head of various departments at Stroock. He is a member, with me, of the Committee on Character and Fitness and, previously, served with me on the City Bar Judiciary Committee.

Politically, he is very well connected. Originally, he was one of the heads of the Liberal Party who supported John Lindsay, as a result of which he was appointed as the Commissioner of Buildings during Lindsay's term.

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### Charles G. Moerdler

Partner

Stroock & Stroock & Lavan LLP  
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 New York, New York 10038-4982  
 (New York Co.)  
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Rated AV

**Practice Areas:** Litigation; International Litigation; Commercial Litigation; Labor Law; Health Care Law; Real Estate Law; Federal and State Litigation; Complex and Multi-District Litigation; First Amendment Law

**Admitted:** 1956, New York; 1957, U.S. Court of Appeals, Second Circuit; 1958, U.S. Supreme Court; 1964, U.S. Court of Appeals, Seventh Circuit; 1973 U.S. Court of Appeals, Fifth Circuit

**Law School:** Fordham University, LL.B., 1956

**College:** Long Island University, A.B., 1953

**Member:** The Association of the Bar of the City of New York (Member, Committee on International Law, 1989-1991); New York State and American Bar Associations.

**Biography:** Associate Editor, Fordham Law Review, 1955. Member, Editorial Board, New York Law Journal. Special Counsel, Committee on Judiciary, New York State Assembly, 1961. Commissioner of Buildings, City of New York, 1966-1967. Member, New York City Board of Collective Bargaining, 2000—. Member, Disciplinary Committee, Appellate Division, First Department, 1999—. Member, Committee on Character and Fitness, Appellate Division, 1st Department, 1977, Vice Chair, 1998. Member, New York City Housing Development Corp., 1997. Member, Residential Insurance Mortgage Corporation, 1997. Commissioner, 1978-1997, Vice Chairman, 1986-1995; Chairman, 1995-1997, New York State Insurance Fund.

**Born:** Paris, France, 1934

**ISLN:** 902436495

**Web Site:** <http://www.stroock.com>

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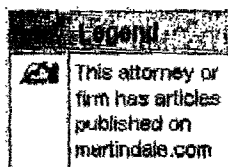
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