



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE  
ENVIRONMENTAL PROTECTION BUREAU

November 6, 2019

**HAND DELIVERED**

Hon. L. Michael Mackey  
Supreme Court, Albany County  
Albany County Courthouse  
16 Eagle Street  
Albany, NY 12207-1077

Re: *The Landmarks Society of Greater Utica, et al. v. Planning Board of  
the City of Utica, et al.,*  
Index No. 02797-19

Dear Judge Mackey:


At our recent Court appearance on October 31, 2019, Petitioners' attorney, Thomas West, submitted a supplemental affirmation in support of the Petition and in opposition to Respondents' Motions to Dismiss. The Court, at that time, granted Respondents until Thursday, November 6, 2019, to provide written objections and/or responses to that submission.

I write now on behalf of all Respondents to request an extension of time until Friday November 22, 2019 for Respondents to provide those responses and objections. Respondents seek additional time to consider the submissions in conjunction with the Proposed Amended Complaint filed by Attorney West and emailed to Respondents on November 4, 2019.

Finally, while we appreciate Petitioners' counsel's offer to consent to having the pending motions apply to the Proposed Amended Complaint, we decline and ask that the Court grant our request for additional time to review all of the recent submissions.

Thank you for your consideration of this request.

Respectfully,

  
Loretta Simon  
Assistant Attorney General  
(518) 776-2416

SO ORDERED

Dated: 11/7/19

  
Hon. L. Michael Mackey

cc **Thomas S. West, Esq. (via email)**  
**Kathryn Hartnett, Esq. (via email)**  
**Kathleen Bennett, Esq. (via email)**