

**Supreme Court of the State of New York
Court of Appeals**

Town of Montauk, Inc.

Petitioner

-against-

Hon. George E. Pataki, Esq., Governor of the State of New York and, The People of the State of New York Met in Assembly, and The Town Board gov't of the Town of East Hampton, and The Trustees of the Freeholders and Commonalty of the Town of Easthampton, and The Suffolk County Water Authority, Inc., and The County of Suffolk, and The Brooklyn Historical Society, Inc., and 511 Equities, Inc., and The Nature Conservancy, Inc.

Respondents

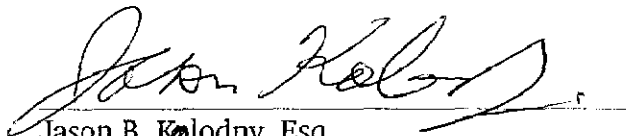
**Revised
Affirmation of Service**

Suffolk index no. 04-27553

Jason B. Kolodny, Esq., attorney for the Montauk Friends of Olmsted Park /
Montauk Trustee Corporation, on behalf of Petitioner Incorporated Township of
Montauk, does herewith affirm under the penalties of perjury that on August 5th, 2005, I
did forward to respondents at their addresses listed below a stapled copy of:

- 1.) a Notice of Appeal filed pursuant to CPLR §5601(b)2. together with Exhibits A to J referenced therein; and
- 2.) a Rule 500.2 Jurisdictional Statement; and
- 3.) the June 20th, 2005, decision and order of Hon. Daniel J. Loughlin, J.S.C. in the above captioned matter that did finally determine the special proceeding herein; and
- 4.) the Notice of Entry made by Suffolk County Attorney Christine Malafi, Esq, dated July 11th, 2005.

This affirmation corrects the prior affirmation to include the name and address of
Hon. Caitlin Halligan, Esq., Solicitor General of the State of New York, for the People of
the State of New York met in Assembly.



Jason B. Kolodny, Esq.,
Attorney for MFOP/Montauk Trustee Corp.
21 Hereford Road
Great Neck, N.Y. 11021
(516) 661-9418

Robert A. Ficalora, CEO
Montauk Friends of Olmsted Parks /
Montauk Trustee Corporation
P.O. Box 2612
Montauk, NY, 11954
(631) 668-3119 (Montauk)
(631) 614-4319 (Efax)

Mr. Greg Allen, Esq.
Counsel for Governor Pataki
NYS Capitol Building
Albany, NY 12207
(518) 474-8437

(by agreement, all subsequent service of
papers to Governor Pataki will be through
the office of Attorney General Spitzer.)

CAHN, WISHOD & KNAUER
Attorneys for the town board government
of Easthampton,
425 Broad Hollow Road - Suite 315
Melville, N.Y. 11747
(516) 752-1600

Mr. John Courtney, Esq.
Attorney for the Trustees of the freeholders
and commonalty of the town of
Easthampton
P.O. Box 720
Amagansett, NY 11930
(631) 267-6161

The Suffolk County Attorney's office
H. Lee Dennison Building
100 Veterans Memorial Hwy
PO Box 6100
Hauppauge, New York 11788
(631)853-4049 FAX (631)853-5169
5th, 6th, and 7th Floors

Mr. Peter J. Mastaglia, Esq
Cullen & Dykman, LLP
Garden City Center
100 Quentin Roosevelt Boulevard
Garden City, New York 11530-4850

John T. McCarron, Esq.
Attorney for Suffolk County Water
Authority, 200 Broadhollow Road, Suite
207
Melville, New York 11747
(631) 694-6500

511 Equities, Corp.
A.K.A. Montauk Improvement Corp.
511 5th Ave
New York, NY 10018
(212) 578-1699

The Nature Conservancy, Inc.
4245 North Fairfax Drive, Suite 100
Arlington, VA 22203-1606
(703) 841-4850

Mr. Dennis J. McElligot, Esq.,
New York District Attorneys Office
(Suffolk)
300 Motor Parkway, Hauppauge, NY 11798
(631) 231-2424

Hon. Elliot Spitzer, Esq.
Attorney General of the State of New York
c/o Solicitor General
Department of Law
NYS Capitol Building
Albany, NY 12207

Hon. Caitlin Halligan, Esq.
Solicitor General for the NYS Assembly
Department of Law
NYS Capitol Building
Albany, New York 12207

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

ALBANY, NY 12207

Postage	\$ 3.85	UNIT ID: 11954
Certified Fee	2.30	Postmark Here
Return Receipt Fee (Endorsement Required)		Clerk: KZ1K2J
Restricted Delivery Fee (Endorsement Required)		08/05/05
Total Postage & Fees	\$ 6.15	USPS 11954

Sent To **C. HALLIGAN**
 Street, Apt. No., or PO Box No. **DEPT OF LAW**
 City, State, ZIP+4 **ALBANY NY 12207**

PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

HAUPPAUGE, NY 11798

Postage	\$ 3.85	UNIT ID: 11954
Certified Fee	2.30	Postmark Here
Return Receipt Fee (Endorsement Required)		Clerk: KZ1K2J
Restricted Delivery Fee (Endorsement Required)		08/05/05
Total Postage & Fees	\$ 6.15	USPS 11954

Sent To **SUFFOLK COUNTY ATTORNEY**
 Street, Apt. No., or PO Box No. **100 VETERAN'S MEML HALL**
 City, State, ZIP+4 **HAUPPAUGE, NY 11798**

PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

ALBANY, NY 12224

Postage	\$ 3.85	UNIT ID: 0954
Certified Fee	2.30	Postmark Here
Return Receipt Fee (Endorsement Required)		Clerk: KZ1K2J
Restricted Delivery Fee (Endorsement Required)		08/05/05
Total Postage & Fees	\$ 6.15	USPS 11954

Sent To **SOLICITOR GENERAL, DEPT OF LAW**
 Street, Apt. No., or PO Box No. **THE CAPITOL**
 City, State, ZIP+4 **ALBANY, NY 12224**

PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

WYANDANCH, NY 11798

Postage	\$ 3.85	UNIT ID: 0954
Certified Fee	2.30	Postmark Here
Return Receipt Fee (Endorsement Required)		Clerk: KZ1K2J
Restricted Delivery Fee (Endorsement Required)		08/05/05
Total Postage & Fees	\$ 6.15	USPS 11954

Sent To **DENNIS J. M. WELSH**
 Street, Apt. No., or PO Box No. **300 MOTOR DR**
 City, State, ZIP+4 **HAUPPAUGE, NY 11798**

PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

NEW YORK, NY 10018

Postage	\$ 3.85	UNIT ID: 10954
Certified Fee	2.30	Postmark Here
Return Receipt Fee (Endorsement Required)		Clerk: KZ1K2J
Restricted Delivery Fee (Endorsement Required)		08/05/05
Total Postage & Fees	\$ 6.15	USPS 11954

Sent To **511 EQUITIES CORP**
 Street, Apt. No., or PO Box No. **511 5TH AVE**
 City, State, ZIP+4 **NYC, NY 10018**

PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

MELVILLE, NY 11747

Postage	\$ 3.85	UNIT ID: 10954
Certified Fee	2.30	Postmark Here
Return Receipt Fee (Endorsement Required)		Clerk: KZ1K2J
Restricted Delivery Fee (Endorsement Required)		08/05/05
Total Postage & Fees	\$ 6.15	USPS 11954

Sent To **JOHN T. MCCARRON, RES.**
 Street, Apt. No., or PO Box No. **SCWA 200 DROAD**
 City, State, ZIP+4 **MELVILLE, NY 11747**

PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

GARDEN CITY, NY 11530

Postage	\$ 3.85	UNIT ID: 0954
Certified Fee	2.30	
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.15	

Postmark Here
 Clerk: KZ1K2J
 AUG 05 2005
 08/05/05

Sent To
 PETER J. MASTALONE
 Street, Apt. No., or PO Box No. 100 QUENTIN ROOSEVELT BLVD
 City, State, ZIP+4 GARDEN CITY, NY 11520
 PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

AMAGANSETT, NY 11930

Postage	\$ 3.85	UNIT ID: 0954
Certified Fee	2.30	
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.15	

Postmark Here
 Clerk: KZ1K2J
 AUG 05 2005
 08/05/05

Sent To
 JOHN COURTNEY, ESQ.
 Street, Apt. No., or PO Box No. P.O. Box 720
 City, State, ZIP+4 AMAGANSETT, NY 11930
 PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

ALBANY, NY 12207

Postage	\$ 3.85	UNIT ID: 0954
Certified Fee	2.30	
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.15	

Postmark Here
 Clerk: KZ1K2J
 AUG 05 2005
 08/05/05

Sent To
 GREG ALLEN
 Street, Apt. No., or PO Box No. NYS CAPITOL BUILDING
 City, State, ZIP+4 ALBANY, NY 12207
 PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

ARLINGTON, VA 22203

Postage	\$ 3.85	UNIT ID: 0954
Certified Fee	2.30	
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.15	

Postmark Here
 Clerk: KZ1K2J
 AUG 05 2005
 08/05/05

Sent To
 THE NATURE CENTER
 Street, Apt. No., or PO Box No. 4245 N. FAIRFAX ST
 City, State, ZIP+4 ARLINGTON, VA 22203
 PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

MELVILLE, NY 11747

Postage	\$ 3.95	UNIT ID: 0954
Certified Fee	2.30	
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.25	

Postmark Here
 Clerk: KZ1K2J
 AUG 05 2005
 08/05/05

Sent To
 RICHARD CHAN, ESQ.
 Street, Apt. No., or PO Box No. 425 BROAD HOLLOW RD #215
 City, State, ZIP+4 MELVILLE, NY 11747
 PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

ALBANY, NY 12207

Postage	\$ 7.70	UNIT ID: 0954
Certified Fee	2.30	
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 10.00	

Postmark Here
 Clerk: KZ1K2J
 AUG 05 2005
 08/05/05

Sent To
 CLARK WYLS COOPER
 Street, Apt. No., or PO Box No. 20 RAQUEL STREET
 City, State, ZIP+4 ALBANY, NY 12207-1095
 PS Form 3800, June 2002 See Reverse for Instructions