



Montauk's Trustee Corporation
Township of Montauk
Est. 1686/1852/2000

Retainer Agreement of December 2007

The Montauk Friends of Olmsted Parks / Montauk Trustee Corporation and Mr. Jason B. Kolodny, Esq. do herewith agree pursuant to the Corporation's resolutions of October 11th, 2004, that Mr. Robert A. Ficalora does herewith retain, on the Corporation's behalf, Mr. Kolodny for a sum of \$2,000 to perform the following specified work:

1. Work under Mr. Ficalora's direction to review, sign, serve or submit all specified documents necessary to perfect and move the matter of Town of Montauk, Inc. v. Hon. Pataki, et al., currently pendant before the New York State Supreme Court, Court of Appeals;
2. Immediately forward any and all documents received from the other parties or the court to Mr. Ficalora by FAX to 212-658-9158;
3. Should the Corporation resolve that he should argue on its behalf, to travel to Albany and to appear at a rate of \$200 per hour for billable court time;

It is agreed that this agreement does supersede all and any prior retainer agreements either written or oral.

Mr. Robert A. Ficalora, CEO
MFOP/ Montauk Trustee Corp.
December 11, 2007

Mr. Jason B. Kolodny, Esq.
MFOP/Montauk Trustee Corp.
December 11, 2007