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RICHARD C. CAHN
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April 18, 2005

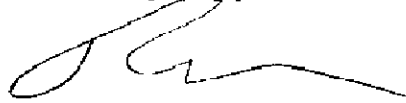
TO: ALL COUNSEL IN TOWN OF MONTAUK MATTER:

Re: Town of Montauk, Inc. v. Hon. George L. Pataki, et al.
Suffolk County Index No. 27533/04

Dear Counsel:

We serve herewith Verified Answer and Notice to Take Deposition Upon Oral Examination on behalf of the Town of East Hampton in connection with the above-entitled action.

Very truly yours,



Richard C. Cahn

RCC/pdm
Enclosures

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

-----X
TOWN OF MONTAUK, INC.,

Index No. 27553/04

Petitioner,

VERIFIED ANSWER
TO AMENDED PETITION

- against -

THE HONORABLE GEORGE PATAKI, 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.

-----X

Respondent, the Town of East Hampton, sued herein as "The Town Board gov't of the Town of East Hampton," by its attorneys Cahn & Cahn, LLP, answering the Amended Petition herein, respectfully alleges as follows:

1. With respect to Paragraphs 1 through 10 inclusive of the Amended Petition specifying the relief sought against the Town of East Hampton and others, denies each and every allegation contained therein.

2. With respect to the separately stated causes of action against Hon. George E. Pataki, Governor of the State of New York encompassed within separately numbered Paragraphs 1 through 5 inclusive; against the People of the State of New York Met in Assembly, encompassed within Paragraphs 6 through 13 inclusive; against the Trustees of the Freeholders and Commonalty of the Town of East Hampton encompassed within Paragraphs 21 through 24 inclusive; against the Suffolk County Water Authority, Inc. encompassed within Paragraphs 25

through 27 inclusive; against the Suffolk County Legislature encompassed within Paragraphs 28 through 33 inclusive; against the Brooklyn Historical Society, Inc. encompassed within Paragraphs 34 through 36 inclusive; and against The Nature Conservancy, Inc. encompassed within Paragraphs 37 through 44 inclusive, this Defendant declines to plead thereto as the said claims do not appear to be pleaded against the Town of East Hampton. To the extent that they may be so construed, denies each and every allegation thereof.

3. With respect to the claims against the Town of East Hampton (sued herein as "The Town Board gov't of the Town of East Hampton"), encompassed within Paragraphs 14 through 20 inclusive, denies each and every allegation thereof, except admits that at all times herein pertinent the Town of East Hampton has validly exercised all of the powers delegated to it by the Constitution and Legislature of the State of New York.

FOR A FIRST AFFIRMATIVE DEFENSE

4. This proceeding is barred by the Statute of Limitations.

FOR A SECOND AFFIRMATIVE DEFENSE

5. This proceeding is barred by laches.

FOR A THIRD AFFIRMATIVE DEFENSE

6. Upon information and belief, the Petitioner, styling itself as "Town of Montauk, Inc." does not exist as a legal cognizable entity.

FOR A FOURTH AFFIRMATIVE DEFENSE

7. The Petitioner lacks standing to sue.

FOR A FIFTH AFFIRMATIVE DEFENSE

8. This proceeding is being prosecuted by an individual not admitted to the Bar of the State of New York and must be dismissed pursuant to Section 321 of the CPLR.

FOR A SIXTH AFFIRMATIVE DEFENSE

9. This proceeding is barred by *res judicata* and collateral estoppel.

FOR A SEVENTH AFFIRMATIVE DEFENSE

10. To the extent that this proceeding seeks monetary damages against the Town of East Hampton, it must be dismissed for failure to timely file a notice of claim against the Town of East Hampton.


FOR AN EIGHTH AFFIRMATIVE DEFENSE

11. This proceeding is the latest of a long series of meritless and frivolous actions and proceedings instituted by Robert A. Ficalora in violation of 22 N.Y.C.R.R. Part 130 and sanctions should be imposed upon the Petitioner and upon the said Robert A. Ficalora permanently enjoining the further prosecution by them, either directly or indirectly, of any action or proceeding in this Court seeking to litigate issues purported to be raised by the instant Petition.

Dated: Melville, New York
April 15, 2005

Yours, etc.,

CAHN & CAHN, LLP
Attorneys for the Respondent Town of
East Hampton

By: 
Richard C. Cahn, Esq.

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TO: STEPHEN G. COURT, ESQ.
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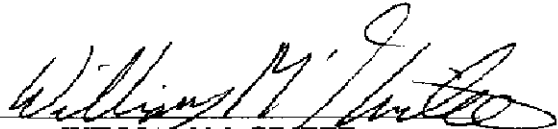
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Arlington, VA 22203-1606

511 Equities Corp.
a/k/a Montauk Improvement Corp.
511 Fifth Avenue
New York, NY 10018


VERIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF SUFFOLK)

I, WILLIAM McGINTEE, being duly sworn say: I am Town Supervisor of the Town of East Hampton, which is named as one of the Defendants in the within action; I have read the foregoing Answer and know the contents thereof; the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.


WILLIAM McGINTEE

Sworn to before me this
15th day of April, 2005.


Notary Public

LYNN N. RYAN
NOTARY PUBLIC, STATE OF NEW YORK
NO. 02RY6005366, SUFFOLK COUNTY
COMMISSION EXPIRES APRIL 13, 20 06