

Ken Jenkins

Chairman of the Board
Legislator, 16th District



February 3, 2011

Robert F. Meehan
County Attorney
148 Martine Avenue, 6th Floor
White Plains, NY 10601

Re: CSEA v. Astorino

Dear County Attorney Meehan:

I am writing in response to your memorandum to the Westchester County Board of Legislators (the "Board") dated January 31, 2011 regarding the CSEA v. Astorino et. al. As addressed in the Board's letter to you dated January 28, 2010, we believe that there is indeed a conflict between the positions of the Board and the County Executive with regard to this litigation pursuant to Resolution 154-2010 and Act 168-2010. Therefore, in accordance with the New York State County Law Section 501(2) which mandates that you represent the interests of the Board under these circumstances, you are hereby directed to answer the Verified Petition dated January 11, 2011, and to assert cross claims against the County Executive therein. The cross claims would essentially mirror the three (3) claims asserted by the Petitioners in their Verified Petition.

In addition, we were advised by Order dated January 31, 2011 that the Hon. Albert Lorenzo, A.J.S.C., has recused himself from this matter and accordingly, we would expect that you, as our attorney, will be contacting counsel for the Petitioners to request their consent for the additional time necessary to accomplish what the Board has requested herein. Please inform us of the new agreed upon return date along with the date that the verified answer is due.

Finally, please contact me immediately so that a meeting may be arranged in my office to specifically address the verified answer and cross claims. Legislator John Nonna and I will be present.

Thank you for your cooperation in this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "K. W. Jenkins", with a large, sweeping flourish extending to the right.

Kenneth W. Jenkins
Chairman

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