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ADMITTED TO PRACTICE IN:
NEW YORK; NEW JERSEY;
UNITED STATES SUPREME
COURT; UNITED STATES
COURTS OF APPEAL FOR
SECOND AND THIRD
CIRCUITS; SOUTHERN AND
EASTERN DISTRICTS OF NEW
YORK; DISTRICT OF NEW
JERSEY; DISTRICT OF
CONNECTICUT; NORTHERN
DISTRICT OF ILLINOIS;
UNITED STATES COURT OF
INTERNATIONAL TRADE.

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November 1, 2004

Hon. Arthur D. Spatt
United States District Court Judge
United States District Court, E.D.N.Y.
Central Islip, New York 11722

11/1/04
Application to adjourn
12/3/04 conference is denied
without prejudice to renew
if motion remains pending as of
11/30/04.
So Ordered

Re: *Maloney v. Spitzer* (CV- 03-786) (ADS) (MLO)

Honorable Sir:

I am the *pro se* Plaintiff in the above-captioned case. This letter is sent in compliance with Your Honor's Individual Rule IV(A)(ii).

Enclosed are courtesy copies of all papers in support of and in opposition to my fully briefed Rule 56 motion. All of the items listed below have been served on the opposing party, and all except item 8 have been filed electronically via ECF. The enclosures are:

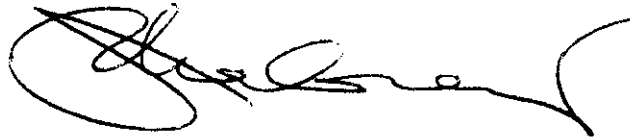
1. Plaintiff's Rule 56.1 Statement;
2. Defendant's Counter-Statement;
3. Notice of Motion;
4. Memorandum of Law in support;
5. Declaration in support (with 12 attached exhibits);
6. Brief in Opposition;
7. Reply Memorandum; and
8. Courtesy copy of William Van Alstyne's 1994 essay, "The Second Amendment and the Personal Right to Arms," 43 Duke L.J. 1236 (courtesy copy provided to Defendant on August 9, 2004, with initial motion papers).

Oral argument on the motion is respectfully requested.

USMJ

✓ I note that a status conference in this matter is currently scheduled before Magistrate Judge Orenstein on December 3, 2004, at 10:30 a.m. By copy of this letter to Magistrate Judge Orenstein, it is respectfully requested that the scheduled status conference of December 3, 2004, be adjourned as provided in the minute entry for June 18, 2004 (item 16 on the docket sheet).

Respectfully,



James M. Maloney

cc (without enclosures):

✓ Hon. Michael L. Orenstein
Chief Magistrate Judge
United States District Court, E.D.N.Y.
Central Islip, New York 11722

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