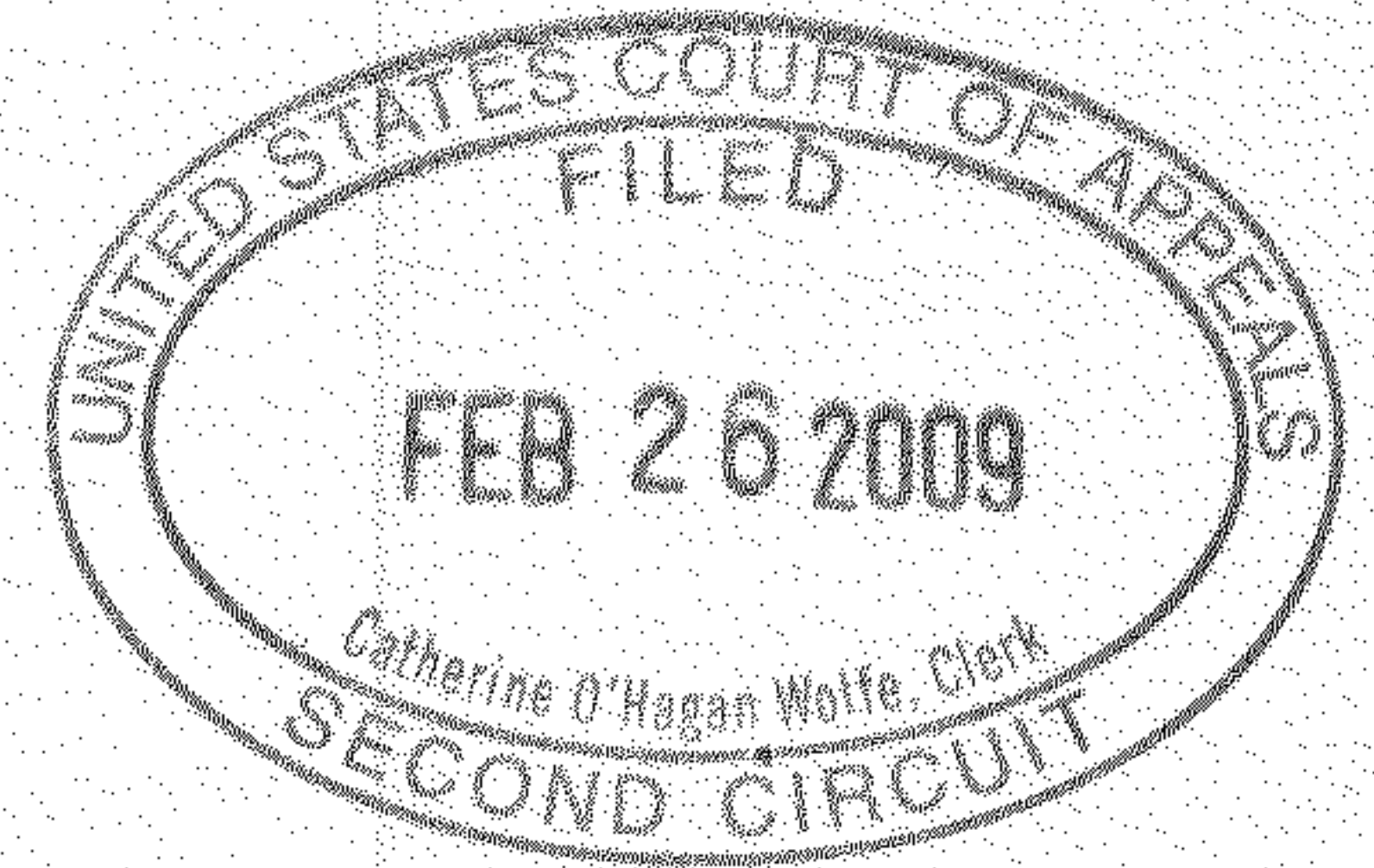




COMMONWEALTH of VIRGINIA
Office of the Attorney General



900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

February 24, 2009

LETTER BRIEF

APPEAL NO. 08-4873-CV

BY EMAIL AND FIRST CLASS MAIL

Ms. Deborah Ann Holmes
Case Manager, Work Leader
U.S. Court of Appeals, Second Circuit
Pro Se/Prisoner Team
40 Foley Square
New York, NY 10007

Re: *Bernstein v. Appellate Division First Department, et al.*
Appeal No. 08-4873-CV

Dear Ms. Holmes:

I represent Noel Sengel, Mary Martelino, Andrew Goodman, Lizbeth L. Miller, the Virginia State Bar ("Virginia Bar") and the Commonwealth of Virginia, otherwise known as the Virginia Defendants-Appellees, in the above-captioned matter. I am writing to inform the Court that in this appeal, the Virginia Appellees intend to rely on their arguments raised in their Motion to Dismiss filed with the district court, and will join in the Appellee Brief to be filed by the New York State Bar Appellees.

If the Court requires any additional briefing, please let me know. Thank you for your time and consideration.

Sincerely,

Stephen M. Hall
Assistant Attorney General

cc: Eliot I. Bernstein (Plaintiff pro se)
P. Stephen Lamont (Plaintiff pro se)

U.S. COURT OF APPEALS
SECOND CIRCUIT

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Ms. Deborah Ann Holmes

February 24, 2009

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Monica Connell, Assistant Attorney General (for Defendant State of New York)

John Walter Fried, Esq. (for Defendant Raymond A. Joao)

Glenn T. Burhans, Jr., Esq. (for Defendants Boggs, Marvin, Hoffman, Turner,
and the Florida State Bar)

Richard M. Howard, Esq. (for Defendants Meltzer Lippe Goldstein & Breitstone
LLP and Meltzer)

Joanna Smith, Esq. (for Defendants Krane, Rubenstein, the Estate of Stephen
Kaye, and Proskauer Rose, LLP)

Kent Kari Anker, Esq. and Lili Zandpour, Esq. (for Foley Lardner LLP, Grebe,
Dick, Boehm, and Becker)