



*State of New York
Court of Appeals*

*Stuart M. Cohen
Clerk of the Court*

*Clerk's Office
Albany, New York 12207-1095*

May 3, 2006

Simpson Thacher & Bartlett, Esqs.
Attn: Joseph F. Wayland, Esq.
425 Lexington Avenue
New York, New York 10017-3954

Michael A. Rebell Associates
Attn: Michael A. Rebell, Esq.
6 East 43rd Street
New York, New York 10017

Hon. Eliot Spitzer
Attorney General
Attn: Bruce B. McHale, Esq.
120 Broadway, 24th Floor
New York, New York 10271

Re: Campaign for Fiscal Equity, Inc., et al. v SNY, et al.

Dear Counselors:

This letter acknowledges receipt and administrative review of the Preliminary Appeal Statements on the appeal and cross appeal.

These cross appeals are now subject to the following briefing schedule:

The opening brief and record materials of appellants-respondents CFE, et al. shall be served and filed by June 6, 2006. The brief shall include a statement showing that the Court has jurisdiction to entertain the appeal and to review the questions raised, with citations to the pages of the record or appendix where each such question has been

preserved for the Court's review. Failure to comply with this due date shall subject appellants-respondents to dismissal of the appeal (see section 500.16[a] of the Court's Rules of Practice).

The opening brief of the State respondents-appellants, which shall also respond to appellants-respondents' brief, shall be served and filed by July 11, 2006. The brief shall include a statement showing that the Court has jurisdiction to entertain the appeal and to review the questions raised, with citations to the pages of the record or appendix where each such question has been preserved for the Court's review. Failure to comply with this due date shall subject these parties to dismissal of their appeal and preclusion as to their response to CFE's appeal (see sections 500.16[a] and 500.16[b] of the Court's Rules of Practice).

Appellants-respondents CFE, et al. shall serve and file their responding brief which may reply to issues raised in their opening brief, by August 15, 2006. The State respondents-appellants shall serve and file their reply brief, if any, by August 25, 2006.

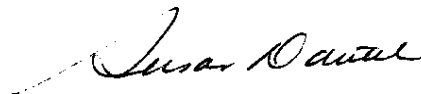
PLEASE NOTE: The Court of Appeals Rules of Practice no longer contain a "20 day notice" provision effecting an automatic extension of briefing periods. Parties are expected to comply with the service and filing dates set forth above. "Filing" means received by the Court. The procedure for requesting an extension, which requires a showing of good cause, is set forth in section 500.15 of the Court's Rules of Practice.

A copy of the Court's calendar of upcoming argument sessions is enclosed. Pursuant to section 500.17 of the Court of Appeals Rules of Practice, counsel has a continuing duty to notify the Clerk's office of days of known or possible unavailability for oral argument during the Court's scheduled Albany sessions (indicated by the solid lines). Once an argument date is set by the Court, it will not be changed absent good cause.

Questions may be directed to the undersigned at (518) 455-7701 or James Costello at (518) 455-7702.

Very truly yours,

STUART M. COHEN



Susan S. Dautel
Assistant Deputy Clerk

SSD/ml



State of New York
Court of Appeals
 20 Eagle Street
 Albany, New York 12207-1095

Schedule of Argument Dates 2006

JANUARY	FEBRUARY	MARCH
S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
APRIL	MAY	JUNE
S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
JULY	AUGUST	SEPTEMBER
S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
OCTOBER	NOVEMBER	DECEMBER
S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	S M T W Th F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31