



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

February 24, 2009

By Hand Delivery

Hon Charles E. Diamond
Clerk of the Court
Supreme Court Albany County
16 Eagle Street
Albany, New York 12207

Attn: Sherrie Seeley
Special Term Clerk

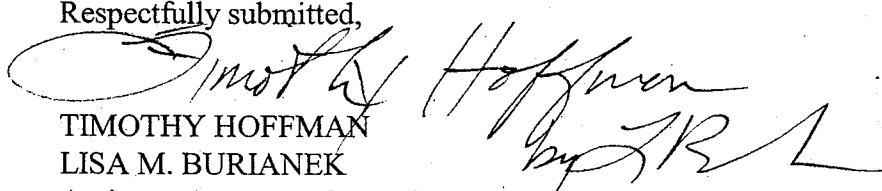
Re: Port of Oswego Authority, et al. v. Grannis and NYSDEC,
Index No. 10296-08

Dear Ms. Seeley:

Enclosed for filing please find the State respondents-defendants' responsive papers in the above-referenced hybrid Article 78 proceeding and declaratory judgment action, returnable on March 13, 2009.

The State respondents papers include a Verified Answer, Objections in Point of Law and Certified Return, a Memorandum of Law in Support of an Order and Judgment Dismissing the Petition, and the Affidavits of David Adams, William R. Adriance and Scott Stoner, with exhibits. We have also enclosed an affidavit of service on counsel for petitioners-plaintiffs.

Respectfully submitted,


TIMOTHY HOFFMAN
LISA M. BURLANEK
Assistant Attorneys General
(716) 853-8465

cc: via Overnight UPS (w/ enc.)
Christine A. Fazio, Esq. ✓
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