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November 18, 2022

VIA NYSCEF

Honorable Craig Stephen Brown, A.J.S.C.
Orange County Supreme Court
285 Main Street
Goshen, New York 10924

RE: *In the matter of Houle v. New York State Board of Elections, et al*,
Orange County Index No.: EF006424-2022

Dear Justice Brown:

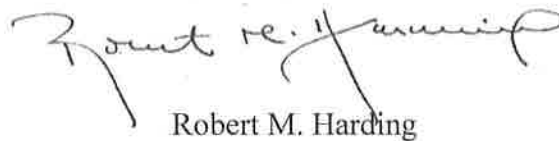
We are in receipt of the letter from Petitioner's counsel, dated November 18, 2022, wherein Mr. Ciampoli proports to discontinue the above referenced proceeding. Notwithstanding Petitioner's counsel's letter, it should be noted that because the parties have appeared and filed responsive pleadings, Petitioner is foreclosed from unilaterally discontinuing the proceeding pursuant to CPLR 3217. The proceeding must be discontinued by stipulation signed by the attorneys of record (CPLR 3217(a)(2)) or by court order (CPLR 3217(b)).

Following a robust hearing conducted before Your Honor on Wednesday, the Court issued a Decision and Order, subsequently entered with the Orange County Clerk on November 17, 2022, which directs the parties to submit certain legal briefs and directs the Orange County Board of Elections to take certain actions while canvassing affidavit ballots. In accordance with this Court's Order, Respondent Skoufis has submitted a memorandum of law. Upon information and belief, additional memorandum may be filed by other Respondents.

In light of Petitioner's request to discontinue the proceeding before this Court, we respectfully submit that it is imperative that this Court's November 16, 2022 order be vacated to reflect the Petitioner's desire to abandon her legal arguments. We acknowledge that as long as the Order is vacated, the discontinuance would not prejudice any parties to the action.

We genuinely appreciate the Court's continued attention to this matter and its assistance in resolving this final issue.

Respectfully submitted,



Robert M. Harding

RMH/mtj
cc: All parties via NYSCEF