



APPELLATE TERM
SUPREME COURT OF THE STATE OF NEW YORK
2ND, 11TH & 13TH AND 9TH & 10TH JUDICIAL DISTRICTS

PAUL KENNY
CHIEF CLERK

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December 17, 2009

Elena Ruth Sassower
16 Lake Street (Apt 2C)
White Plains, New York 10603

Re: **McFADDEN v SASSOWER**

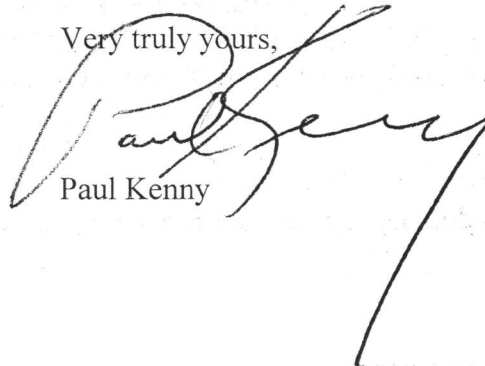
Appellate Term Docket Nos. 2008-1427
2008-1428
2008-1433
2008-148

Dear Ms. Sassower:

Contrary to your letter of December 16, 2009 requesting a video copy of yesterday's oral argument, I cannot "confirm" that the Appellate Term records the arguments. Indeed, as I indicated to you yesterday, no such recording is made.

I am not aware of what technology the Appellate Division uses or what their procedures are with respect to the recording of arguments. In any event, I have confirmed with our computer department that no such capability exists at the Appellate Term.

Very truly yours,



Paul Kenny

EX A-2