



A. GAIL PRUDENTI
PRESIDING JUSTICE

MATTHEW G. KIERNAN
CLERK OF THE COURT

Appellate Division
Supreme Court of the State of New York
Second Judicial Department
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June 1, 2011

Robert D. Mayberger, Esq.
Clerk of the Court
New York State Supreme Court
Appellate Division, Third Judicial Department
Capitol Station, P.O. Box 7288
Albany, NY 12224-0288

Re: *Grievance Committee File No. N-S-388-10*

Dear Mr. Mayberger:

The court has transferred an investigation to the Appellate Division, Third Judicial Department in order to avoid the appearance of impropriety. A copy of the order of transfer dated June 1, 2011 is enclosed.

The investigation was initially disposed of by the Grievance Committee for the Tenth Judicial District, but upon further review, it was decided that the matter should be re-opened but transferred to another department.

By copy of this letter to the interested parties, they are hereby advised to direct any further correspondence to the Third Judicial Department. The file is being transmitted to you under separate cover.

Yours truly,

MATTHEW G. KIERNAN
Clerk of the Court

MGK/la
w/o Enclosure

cc: Robert A. Green, Esq., Chief Counsel
Grievance Committee, Tenth Judicial District
Robert Guido, Esq., Special Counsel for Grievance Matters
Jeremy Freeman, Esq., Counsel for Respondent
Peter Sivere