



**COUNTY OF CHEMUNG**  
**LAW DEPARTMENT**

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J. Michael Mucci  
INVESTIGATOR

July 14, 2023

Hon. Catherine O'Hagen Wolfe, Clerk of Court  
United States Court of Appeals for the Second Circuit  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

Re: Emilee Carpenter, LLC v. James et al.  
Case # 22-75

Dear Hon. Catherine O'Hagen Wolfe:

On behalf of the County defendant-appellees, the following is submitted as pursuant to the Order dated October 2, 2022, in this matter.

The County defendant-appellees has reviewed the letter submitted earlier today by the State defendant-appellees and agrees with and adopts their position. To the extent the Court finds plaintiff's allegations credible such as to survive a motion to dismiss, the undersigned would agree that discovery would be warranted to explore the merits of said allegations.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Hyder Hussain", is written over a light blue rectangular background.

M. Hyder Hussain, Esq.  
Chemung County Attorney

cc: via CM/ECF  
All Counsel's