

BARCLAY DAMON ^{LLP}

Patricia S. Naughton
Partner

April 17, 2018

VIA OVERNIGHT MAIL

Richard J. Lippes, Esq.
Lippes & Lippes
1109 Delaware Avenue
Buffalo, NY 14209

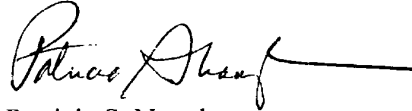
Re: *City of Ithaca et al. v. NYSDEC and Cargill, Incorporated*
Index No. EF2017-0285

Dear Mr. Lippes:

As you know, we represent Cargill, Incorporated in the above-referenced litigation. We have been advised by our client that service upon them was recently attempted through delivery of the enclosed package on CT Corporation System ("CT"), Cargill's agent for service of process in New York State.

Kindly be advised that the attempted service is rejected as untimely under the CPLR. Accordingly, we are returning to you the Notice of Petition, Petition and Exhibits as delivered by your process server to CT and thereafter transmitted to Cargill.

Very truly yours,



Patricia S. Naughton

PSN;jbl
Enclosure

cc: Loretta Simon, Esq., Assistant Attorney General (w/o
encl.)