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October 15, 2013

File No.  
33848.3

Hon. Melvin L. Schweitzer  
Justice of the Supreme Court  
New York County Courthouse  
60 Centre Street  
New York, NY 10007

Re: **Wells Fargo Bank, N.A., as Trustee v. Chukchansi  
Economic Devel. Authority et al., Index No. 652140/13**

Dear Justice Schweitzer:

On behalf of the Ayala Quorum Council, this letter responds to two recent submissions by the Lewis Faction.

First, on October 8, 2013, the Lewis Faction filed a motion – returnable on October 31, 2013 - asking the Court to reconsider its order appointing Referee Fusco, based on the purported concern that the language of the order impliedly holds that the Ayala Council is the legitimate faction rather than the Lewis Faction. The order does not so hold or imply, and the Court has made clear on the record that it is not ruling at this time as to which faction is legitimate and it may well never make such a ruling based on, among other considerations, the sovereign immunity defense raised by the Ayala Quorum Council. Accordingly, the Lewis Faction's motion should be denied as baseless. Please accept this letter as an informal response to the motion, as we are undertaking to reduce the burden imposed on the Court by the steady barrage of voluminous filings. If the Court requires a formal response to the motion, we will be pleased to submit such a response.

Second, on October 9, 2013, the Lewis Faction filed a lengthy corrected supplemental submission pertaining to the Lewis Faction's motion to modify the Court's order modifying the preliminary injunction order. The Ayala Quorum Council disputes much of the factual content of that submission. If the Court is inclined to consider that submission, we respectfully request leave to respond to the substance of the new factual contentions. We have refrained from providing any details concerning our clients' response pending court clarification as to whether same will be considered.

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Thank you for your attention to this matter.

Respectfully,

*Peter T. Shapiro*

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cc: All counsel of record  
(via electronic filing)